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Saint Helena

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 29 December 2014. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Saint Helena, Ascension and Tristan da Cunha, a Non-Self-Governing Territory under the Charter of the United Nations, is administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Mark Capes (since October 2011).

Geography: Saint Helena is a small island of volcanic origin situated in the South Atlantic Ocean, approximately 1,900 km from Angola and 2,900 km from Brazil. Ascension lies 1,200 km to the north-west of Saint Helena, and Tristan da Cunha and the other small islands lie approximately 2,400 km to the south of Saint Helena.

Land area: 310 km^2, consisting of the islands of Saint Helena and Ascension and the Tristan da Cunha group.

Exclusive economic zone: 1,641,294 km^2.

Population: 4,595 on Saint Helena (March 2014 estimate); and 917 on Ascension and 265 on Tristan da Cunha (November 2012 estimates).

Life expectancy at birth: 76.4 years (women: 79.2 years, men: 72.5 years (2000-2009 estimate)).

Language: English.

Capital: Jamestown.

Main political parties: None.

Elections: Most recent: Saint Helena: July 2013; Ascension: October 2013; Tristan Da Cunha: February 2013.

Legislature: Unicameral legislative assembly (15 seats, 12 elected members).

Gross domestic product per capita: £4,421 (2009/10 estimate).

Economy: Fishing, coffee, tourism, the sale of postage stamps. The economy depends on financial assistance from the United Kingdom.

Unemployment rate: 0.5 per cent (September 2014 estimate), down from 1.8 per cent in 2008.

Monetary unit: Saint Helena pound (SHP).

Brief history: The island of Saint Helena was reportedly discovered in 1502 by a Spanish navigator in the service of Portugal. By the end of the sixteenth century, it had become a port of call for ships en route from Europe to the East Indies. In 1633, it was formally annexed by the Netherlands, however, in 1659 the British East India Company took possession of the island.

I. Constitutional, legal and political developments

1. The current Constitution of Saint Helena, Ascension and Tristan da Cunha, which entered into force in September 2009, provides for the protection of the fundamental rights and freedoms of the individual. The new Constitution changed the name of the Territory from "Saint Helena and its Dependencies" to "Saint Helena, Ascension and Tristan da Cunha", giving the three islands equal status within the Territory. The Head of the Government of Saint Helena, Ascension and Tristan da Cunha is the Governor, who is appointed by the British Crown. However, the ability of the Governor to act inconsistently with the wishes of elected Councillors is curtailed in comparison with the previous Constitution. The British Overseas Territories Act 2002 provides for the granting of British citizenship to "British overseas territory citizens".

2. The Legislative Council comprises the Speaker, the Deputy Speaker, three ex officio members (the Chief Secretary, the Financial Secretary and the Attorney General) and 12 elected members. The Executive Council, which is presided over by the Governor, consists of the ex officio members and five elected members from the Legislative Council. The ex officio members have no vote in either body. Elections are held by secret ballot, at intervals of not more than four years, by universal suffrage for those aged 18 years and over.

3. The 2009 Constitution contains enhanced provisions for ensuring the independence of the judiciary from the legislative and executive organs of the Government. The judicial system comprises a Court of Appeal, a Supreme Court and such subordinate courts (currently a Magistrates' Court and provisions for coroners' enquiries into sudden deaths) as may be established by ordinance. There remains a final appeal to the Privy Council of the United Kingdom of Great Britain and Northern Ireland in prescribed circumstances.

II. Budget

4. Owing to a small tax base due in part to migration and an ageing population, Saint Helena depends heavily on the United Kingdom for funding. The European Union also provides funding. Budgetary support from the United Kingdom is used to provide essential public services and to subsidize the dedicated shipping service of the Territory. According to the 2014 Development Assistance Planning Mission, the Overseas Territory Department of the Department for International Development had a target to decrease the proportion of the recurrent budget of the Government of Saint Helena that is financed by the United Kingdom. The Government of the United Kingdom does not allow Saint Helena to borrow funds. As a consequence, grants from the Department and the European Union are the only external public resources available.

5. According to information provided by the administering Power, total budgetary aid and shipping support from the Government of the United Kingdom reached £18.06 million for the financial year 2014-2015, compared with £18.956 million during the previous period, representing a 4.4 per cent decrease. The 2014-2015 aid package was approved in January 2014, following a visit to Saint Helena by representatives of the Department for International Development. Discussions for the next budget review, which will cover a three-year period, commenced in November 2014.

III. Economic conditions

A. General

6. The economy of Saint Helena depends largely on financial assistance from the United Kingdom. The largest employer is the Government of Saint Helena, and the second largest is currently Basil Read, the construction company contracted to construct the airport in Saint Helena. South Africa and the United Kingdom are the two largest sources of imports. The next largest sector for employment is retail and services. The local population also earns income from fishing, raising livestock and selling handicrafts. According to the administering Power, unemployment is very low, with new jobs currently available as a result of the building of the airport. Consequently, incomes have grown strongly over the past two years, a period during which inflation has decreased significantly, with the retail price index averaging 1.2 per cent during 2013 and 2014. However, incomes are still comparatively low, and the cost of living is high, since most goods must be imported. As a consequence, prices are heavily influenced by external factors. Saint Helena expects that the opening of its airport, the construction of which started three years ago, will develop its economy by significantly increasing the number of tourists. In preparation for that influx, the Government has carried out a three-year project to develop the policy and institutional frameworks required to deliver a range of core public services in an efficient and effective manner. According to the administering Power, the project is aimed at strengthening governance and ensuring effective policymaking, strategic planning and performance management, as well as developing a comprehensive set of policies and processes to attract, retain, manage and develop the necessary human resources.

B. Development

7. Saint Helena is eligible to receive funds from the European Union. On Saint Helena, the funds will be used (on a cost-sharing basis with the Department for International Development) to build a safer landing facility in Rupert's Bay, which will allow large vessels to dock directly at the wharf. This is primarily for freight services. On Ascension, the allocation has been used to improve the roads. On Tristan da Cunha, the funds will be used for further improvements to the harbour, the investigation of alternative energy potential, upgrading of the water works, the improvement of waste management and the electricity distribution infrastructure and building capacity in the management of the lobster-processing plant. Development assistance from the Department for International Development is provided to support a programme of infrastructure improvements, based on priorities agreed with elected members.

8. Saint Helena has established a position for an emergency planner (formerly disaster management executive) responsible for the development and maintenance of plans for the island. These arrangements are overseen by the Chief of Police, who reports directly to the Governor. Civil contingency arrangements for Saint Helena broadly follow the principles of the United Kingdom Civil Contingencies Act 2004. Arrangements replicate, as far as practical, those found in the United Kingdom, but are adjusted to suit local needs. A Major Incident Response Plan has been produced, which provides a generic response in case of a major incident. This plan is being

supplemented by a suite of risk-specific plans, the development of which will continue over the next 18 to 24 months. The governance of contingency planning arrangements for Saint Helena will be managed through a resilience forum, which will start in January 2015. Participants in the forum will meet on a quarterly basis and will oversee: the risk register (existing and emerging threats); the development of contingency plans; testing and exercising; organizational learning through post-exercise feedback; and training.

C. Fisheries and agriculture

9. Fisheries are an important sector of the economy of Saint Helena. According to the United Kingdom, there are 29 fishing boats with commercial licences, however, because of the continued poor fishing season in 2014, only five boats fished on a regular basis during the year. The local fishermen sell their catch to the Saint Helena Fisheries Corporation. Fish purchases for the first half of the financial year 2014-2015 amounted to 156.87 tons, compared with 56.55 tons during the same period the previous year. No licences for foreign fishing vessels have yet been issued during the financial year 2014-2015. In April 2014, two local fishing businesses began fishing operations in the offshore waters of Saint Helena's exclusive economic zone. Initial results have been very promising with a total amount of 52.3 tons being caught over 13 trips, with an average duration of 4 days per trip.

10. Saint Helena has developed a reputation for the high quality of its coffee. In 2012 and 2013, 3,327 kg of Arabica green-tipped Bourbon beans were exported. More recent data regarding the export of coffee have not been available from exporters.

11. With regard to farming, there has been continued innovation in the form of covered production and hydroponics, with 49,400 ft^2 of polytunnel infrastructure now used for arable crops and salad production. The introduction by the Government of Saint Helena in 2012 of a public-private agricultural partnership policy, designed to encourage a scaling-up of production activities from small-holder farms towards the development of agricultural businesses, has encouraged a few enterprises to expand their operations in arable crops and egg production. This has involved some risk-sharing with the private sector in order to accelerate increases in the production of salad vegetables and eggs, areas of production in which the island enjoys a comparative advantage.

D. Transport and utilities

12. Access to Saint Helena is provided by the Royal Mail Ship *Saint Helena*, which serves Saint Helena, Ascension and Cape Town, South Africa. The vessel has been in service for 24 years and is increasingly expensive to operate. While the only port, Jamestown, provides good anchorage; the landing facilities do not allow passengers of large cruise vessels to come ashore in all types of weather. Construction of a wharf is currently under way in Rupert's Bay and the bulk of the construction work is expected to be completed in late 2015. It is hoped that the wharf will enable the separation of cargo and passenger operations.

13. As noted above, the development of an airport is also under way. This includes a runway, an apron area, a terminal building and supporting airside and landside facilities. An access road connecting the airport site to the port facilities in Rupert's Bay and an inshore sea rescue service are also requirements under the airport project. The contractual completion date of the project is February 2016. The project will also provide a new bulk fuel installation, enhancing the island's fuel storage capacity for ground fuels and providing storage capacity for aviation fuel for the first time. According to the administering Power, the opportunities enabled by air access should eventually make the island financially independent, freeing it from reliance on funding from the United Kingdom and the European Union.

14. The Territory has approximately 168 km of paved roads (118 km on Saint Helena, 40 km on Ascension and 10 km on Tristan da Cunha) and 30 km of unpaved roads (20 km on Saint Helena and 10 km on Tristan da Cunha).

15. Saint Helena has two local radio stations and satellite television stations that are rebroadcast terrestrially. Ascension has one local radio station and receives relays of broadcasts from Saint Helena. Broadcasts from the British Forces Broadcasting Service are available, as are television services for the United States military. Tristan da Cunha has one local radio station and receives television and radio broadcasts from the British Forces Broadcasting Service. At the end of November 2014, there were 1,240 Internet subscribers in Saint Helena and 348 on Ascension.

16. Saint Helena has benefited from upgrades to its electricity infrastructure under projects funded by the Department for International Development. In addition, wind power has become a reliable source of energy on Saint Helena. In April 2014, the fleet of wind turbines doubled in capacity, with approximately 20 per cent of the island's demand now satisfied by wind power. The small-scale solar schemes, which generate slightly less than 1 per cent of the island's electricity, are to be supplemented by a solar farm with a peak capacity of 500 kW, scheduled for completion in March 2015.

17. The Department for International Development has provided funding for water infrastructure upgrades. Work currently funded and in progress is the supply of treated water to the Sandy Bay properties. The institutional arrangements for the delivery of utility services changed on 1 April 2013, with the Government of Saint Helena divesting the provision of electricity, water and sewage service to a company limited by shares and initially wholly owned by the Government. Improved waste-management practices are being implemented to put in place the infrastructure, facilities, systems and procedures required to establish an effective long-term solid-waste management strategy for Saint Helena. The redevelopment, which includes infrastructure for the management of hazardous wastes through the operation of a containerized incinerator and hazardous waste cell and the development of a civic recycling area, also addresses the potential bird-strike risk that the landfill presents in the context of the operation of the island's new airport.

E. Banking and credit

18. In December 2008, new ordinances on financial services and money-laundering came into force, aimed at ensuring that Saint Helena complies with international obligations while safeguarding residents from fraudulent financial service providers.

19. The Bank of Saint Helena is the sole banking entity. As at 31 March 2013, total deposit balances stood at £68 million. The bank's net assets total £4.9 million.

F. Tourism

20. According to the administering Power and the Government of Saint Helena, the new airport is the best way to bring new financial opportunities to the island and promote tourism. With the airport, it is estimated that up to 30,000 tourists will eventually visit the island each year, stimulating growth in the economy. The rugged natural beauty of the Territory, its rare wildlife and its historic sites, such as Napoleon's tomb, are expected to attract visitors. Of the 3,800 passengers who arrived on the Royal Mail Ship *Saint Helena* in 2013/14, around 700 were excursion (i.e. leisure) visitors. A further 615 visitors arrived on yachts and more than 3,200 arrived on cruise ships. In the first year of air access, from February 2016, 2,000 leisure visitors are anticipated, rising to 7,700 by 2021.

IV. Social conditions

A. General

21. Following the reintroduction of granting British citizenship to Saint Helenians in 2002, the island experienced an exodus. Many working-age adults moved overseas, resulting in an ageing population and a declining birth rate. Evidence of this was clear in the 2008 population census, which revealed that the population had declined by approximately 20 per cent since the 1998 census, to reach 3,981 individuals, with significant reductions in virtually all age brackets below 55. The median age of the population increased from 33 in 1998 to 44 in 2008, and there were just 22 children per 100 working age adults, compared to 44 in 1987 and 32 in 1998. While child dependency had halved, aged dependency had nearly doubled. By 2008, there were 26 people aged over 64 years per 100 working age adults, a rise of 53 per cent. The initiation of the air access project has seen a reversal of the trend, and an increasing number of Saint Helenians are returning to the island to take advantage of improved employment and business development opportunities. The estimated total population stood at 4,595 in March 2014, of which 4,100 were Saint Helenian.

22. Measured by international standards, Saint Helena is a middle-income Territory with few signs of real material poverty. While absolute poverty is low, there are growing concerns regarding income inequality and poverty of aspiration as the economy grows. Overall incomes grew strongly between 2011 and 2013, with the median average income growing by 4.3 per cent, to £6,760, and mean average income growing by 10 per cent, to £7,900. However, those in the second to fourth deciles saw weak or negative growth in their real incomes. Consequently, while income inequality is still low in global terms, with a Gini coefficient of 26.5, this was an increase from 2011/12, when it stood at 24.4.

23. The ageing population of the Territory has increased the need for substantial investment in a new elderly care programme. According to the United Kingdom, in November 2014, 640 persons were receiving a basic island pension and 152 people income-related benefits. In December 2013, both benefits were uprated to meet a

new minimum income standard based on a basket of essential items needed to maintain an agreed minimum standard of living.

24. The Welfare of Children Ordinance came into force in March 2010. The island's Safeguarding Children's Board continues to develop and has members from all relevant agencies and non-governmental organizations (NGOs). According to the administering Power, the Board will continue to develop robust multi-agency working arrangements and support the delivery of safeguarding training across the island.

25. The Lucy Faithful Foundation conducted a child safety review during a visit to Saint Helena and Ascension in 2013 to assess progress and identify areas for improvement. The review, with an executive summary made available in September 2013, recognized the progress made and identified areas where more remained to be done. A number of recommendations were made by the reviewers, including how to challenge the targeting of girls for sex, the use of the jury system in sexual abuse cases, the use of protocols for investigating sexual crime, the instigation of a treatment regime in prison and the introduction of an initiative called "Circles of support and accountability".

26. According to the administering Power, the recommendations of the Lucy Faithfull Foundation report are currently being implemented by the relevant agencies. Since 1 December 2014, the Government of Saint Helena has been developing a Safeguarding Directorate with the objective of protecting and safeguarding vulnerable children, young people and adults at risk or suffering from abuse. Saint Helena has been developing safeguarding arrangements for all vulnerable people, including children. This work is led by the Safeguarding Children's Board, whose membership comprises the police, education workers, health workers, NGOs and the newly formed Safeguarding Directorate. The Government has also employed a number of professionals in these key agencies to improve safeguarding arrangements, and new investments have been made in training front-line staff. The multi-agency working arrangements are developing well. Owing to improved processes, the island has seen an increase in referrals, investigations and prosecutions relating to sexual offences involving children and young people. More expert staff is being recruited to deal with the increase in referrals and the backlog of cases, which need to be addressed. A training programme for all people working with children is being developed and training has already begun in such areas as achieving best evidence (including a new interview suite), protective parenting and general awareness of safeguarding issues. There is also a public awareness campaign on the sexual exploitation of children. According to the administering Power, more remains to be done and, following allegations about a conspiracy to cover up child abuse on the island, Queen's Counsel Sasha Wass will be leading an independent inquiry. She will report to the Government of the United Kingdom by mid-2015.

27. There is one general hospital in Jamestown, as well as three health clinics serving people living in rural areas, and two residential units providing care and support for individuals with learning and physical disabilities. In addition, the island has a family centre for children and young people who need protection and supported accommodation in two locations for vulnerable people.

B. Employment

28. According to the administering Power, the Government of Saint Helena employs 17 per cent of the resident population, as of October 2014, having conducted a programme of divestment and headcount reduction in preparation for air access. Other large employers include Basil Read (airport construction project) and Solomon and Company (retail, shipping and financial services). The majority of employment elsewhere is in the retail, infrastructure (telecommunications, electricity and water) and services sectors. The accommodation and hospitality and agricultural production sectors are growing but, at present, these comprise primarily owner-operated businesses that employ relatively few people. A minimum wage for Saint Helena was introduced in June 2013 and set at £2.30 per hour (equivalent to around 62 per cent of the median income). In addition, the Government is about to enact new legislation to regulate the terms and conditions under which people are employed, with a first phase including paid holiday and sick leave.

29. A significant number of Saint Helenians are employed offshore, particularly on Ascension, in the Falkland Islands (Malvinas)[1] or in the United Kingdom. Many contracts for offshore employment are for unaccompanied workers, resulting in a significant social burden and the dislocation of families. In addition, according to the administering Power, the loss of trained staff to better-paid offshore employment makes it necessary to bring in a range of internationally recruited staff in a number of sectors.

30. As a result of the construction of the airport, which started in late 2011, the demand for workers increased significantly. In November 2014, 353 Saint Helenians were employed on the project either directly or through subcontractors. Of these, 70 have returned from abroad to work on the project. With only 13 individuals in receipt of unemployment allowance (September 2014), equivalent to 0.5 per cent of the economically active population, the lack of additional labour-force capacity constrains private sector growth. At the same time, with evidence of low levels of labour productivity, there is the potential for economic growth resulting from investment-led productivity gains.

C. Education

31. Education is compulsory and free for children between 5 and 16 years of age. There are currently four schools in operation, comprising three all-through primary schools (for pupils aged 3-11 years) and one secondary school (for students aged 11-18 years). Students over 16 may opt for United Kingdom-accredited academic or vocational courses. Since September 2009, distance-learning opportunities have been included in the curriculum of the secondary school. The Education and Employment Directorate is also responsible for the training and retraining of people in the public and private sectors, through its Adult and Vocational Education Service. Education standards on Saint Helena are beginning to rise after a recent period of gradual decline.

[1] A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas).

32. Retaining qualified, experienced staff continues to be a challenge. A plan and training are now in place to raise the overall quality of teaching through professional development.

33. In 2014, 49 per cent of pupils achieved five or more General Certificates of Secondary Education with a grade C or higher, including in English and mathematics, compared to 19 per cent in 2012. Primary education standards continue to improve, particularly in reading and writing, where 60 per cent and 57 per cent achieved United Kingdom standards. Overall, however, primary standards still lag some way behind United Kingdom benchmarks, particularly in mathematics.

D. Environment

34. According to the administering Power, the isolated position of Saint Helena has given rise to an unusual and remarkable array of terrestrial and marine flora and fauna. Saint Helena has a high level of endemicity and approximately 30 per cent of species endemic to the United Kingdom and its overseas territories are found there. As more baseline biodiversity surveys are undertaken, and the knowledge and understanding of species increase, new endemic species may be found. Both the natural and cultural heritage of Saint Helena are its key assets and a key building block on which to establish a tourism industry, although, both areas have been negatively affected by a lack of investment over a long period of time. Saint Helena relies heavily on project funding to support conservation initiatives. In late 2013, the island was successful in receiving the approval of five bids for funding totalling £297,217 under the Overseas Territories Environment and Climate Fund (Darwin Plus). In 2014, the island received approval for three bids totalling £519,316.

35. While waste management continues to be a challenge for the island; a capital-funded solid-waste management project is introducing improvements. Currently, most waste streams are still going to landfill, with metals, glass and kitchen waste making up two-thirds of this. According to the administering Power, there is a potential opportunity for the private sector to develop businesses that process and reuse waste materials.

36. The first environmental legislation will be introduced in 2015. However, according to the administering Power, with the environment being a key selling point for tourism and the new infrastructure investment required to support the tourism industry significantly increasing the level of environmental risk on the island, there is a need to increase efforts in monitoring, safeguarding, development and enforcement.

37. The United Kingdom Overseas Territories Biodiversity Strategy has been devised as a key tool to enable the United Kingdom and overseas territorial Governments to meet the relevant international obligations for the conservation and sustainable use of biodiversity. In April 2014, a report was published about ongoing and planned activities that are supported by the Department for Environment, Food and Rural Affairs, the Foreign and Commonwealth Office and the Department for International Development of the Government of the United Kingdom, as well as its statutory adviser the Joint Nature Conservation Committee, in each of the areas under the Strategy. The report covered, inter alia, activities in Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands (Malvinas),[1] Gibraltar, Montserrat, Pitcairn, Saint Helena and Turks and Caicos Islands.

38. In April 2014, the United Kingdom submitted its fifth national report to the Conference of the Parties to the Convention on Biological Diversity. The report contains information in respect of the overseas territories to which the Convention has been extended, namely British Virgin Islands, Cayman Islands, Gibraltar and Saint Helena, Ascension and Tristan da Cunha.

V. Ascension

A. Constitutional and political status

39. Executive authority for Ascension is exercised by the Governor of Saint Helena, Ascension and Tristan da Cunha. A resident Administrator is appointed by and reports to the Governor. The Governor is advised by an Island Council, comprising seven elected members and three ex-officio members: the Administrator, the Director of Resources and the Attorney General. Ex-officio members have no voting rights. The current Administrator of Ascension, Marc Holland, was sworn in on 26 August 2014. The Administrator represents the Governor of the Territory, is the Head of the Government of Ascension and, as an ex-officio member, chairs the Island Council in the Governor's absence.

40. Elections are held every three years, the most recent general election having taken place in October 2013. All registered voters over 18 years of age are eligible to vote. Under the 2009 Constitution, the Governor continues to have legislative authority over Ascension. However, he is constitutionally required to consult the Island Council before making any laws. Ascension has its own legislation but Saint Helena law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary.

41. There are five full-time Saint Helena police officers on detachment to Ascension, including the senior officer of inspector rank who reports to the Director of Police on Saint Helena. The Chief Magistrate on Saint Helena serves as the Magistrate on Ascension, supported by four local lay magistrates. The Saint Helena Public Solicitor provides legal advice to residents and is supported by five local lay advocates.

42. In June 2010, the Commission on the Limits of the Continental Shelf denied a claim submitted by the United Kingdom for a continental shelf area beyond 200 nautical miles in respect of Ascension, in accordance with the provision set out in article 76 of the United Nations Convention on the Law of the Sea. The Commission concluded that the volcanic pinnacle on which Ascension rests was too slender to generate rights to an extended zone of the submerged continental shelf.

B. Economic and social conditions

43. According to the administering Power, the population of Ascension enjoys full employment. Services are mostly provided by the Government. A private sector company provides the water and electricity supply to most of the island, with the United States base providing its own supply. There are no commercial exports and little indigenous food production. The Island's economy is somewhat fragile and is

dependent upon the defence and communication organizations based on the island. As a result of the economic situation, the population has dropped to under 900 people. Government activities are funded through business levy, property tax, income tax and Customs duties. The revenues raised cover the expenditure necessary for the provision of essential public services. There is a continued requirement to invest in the Island's infrastructure, balanced with the need to create sufficient liquid reserves. Funding from the eleventh European Development Fund has allowed for the resurfacing of eight kilometres of main roads. Funding has been allocated for critical works to the pier head, establishing a modern waste management facility and the continuation of road resurfacing.

44. Offshore fishing licences were sold from June 2010 to January 2013. A total of 170 licences were sold over the period and, according to the administering Power, contributed significantly to the economy. The sale of licences was placed on hold in 2014 while an expert study was carried out to review a management approach allowing the Government to develop income through licensing, improve management of its fish stocks, meet its international obligations and protect wider biodiversity. There are a small number of inshore fishing boats providing the local community with fresh fish. Sport fishing continues to develop, bringing more visitors to the island each year.

45. Health services are provided through the fully functioning Georgetown hospital. If treatment is not possible locally, cases are referred to the United Kingdom. In support of a healthy lifestyle, two gyms on both military bases, three swimming pools and other sporting facilities are available to all islanders.

46. The school in Two Boats provides education to all children from the age of 3 to 16, which is the General Certificate of Secondary Education level. A Safeguarding Children's Board is in place and members include a social worker and representatives from the police and the health and education sectors. There are a number of groups and clubs available to children outside of school and a community centre was opened in Two Boats in 2014 through funding from various sources and the help of volunteers. It features a variety of equipment for band and music, exercise, art, movies and games.

C. Environment

47. In its fifth national report to the Conference of the Parties to the Convention on Biological Diversity, submitted in April 2014 (see para. 38 above), the United Kingdom noted that biodiversity did not represent a great contribution to the local economy, with the exception of offshore marine fishery, which was a significant revenue source from licence fees. The Island has the second largest nesting population of the green turtle in the Atlantic Ocean and the largest nesting population of any marine turtle species in all of the United Kingdom overseas territories. The biodiversity of Ascension is greatly threatened by alien invasive species, and by introduced plants and mammals in particular.

48. The Conservation Department continues to develop and has succeeded in implementing a number of projects, such as programmes dealing with seabirds, invasive species, endemic plants, land crabs and fisheries. Partners in those projects are: the Royal Society for the Protection of Birds, the Darwin Initiative, the Overseas Territories Environment Programme and the Joint Nature Conservation

Committee. With the establishment of the National Park of Green Mountain, there are now six nature reserves, grouped as beach and bird nature reserves. A Biodiversity and Fisheries Protection Committee has been set up to work with the Conservation Department and stakeholders in order to formulate legislation for the protection of the island's biodiversity and fisheries. A low volume of tourism is also developing within this sector.

VI. Tristan da Cunha

A. Constitutional and political status

49. Executive authority for Tristan da Cunha is exercised by the Governor of Saint Helena, Ascension and Tristan da Cunha. A resident Administrator is appointed by and reports to the Governor. The Administrator is advised by an Island Council, comprising the Administrator, who is President of the Council, eight elected members (including a Chief Islander and at least one woman) and three appointed members. Elections are held every three years. All registered voters over 18 years of age are eligible to vote. Under the 2009 Constitution, the Governor continues to have legislative authority over Tristan da Cunha, but, for the first time, is constitutionally required to consult the Island Council before making any laws.

50. Tristan da Cunha has its own legislation, but Saint Helena law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary. As a last resort, the laws of England and Wales apply. There are two special constables and one full-time police officer. The Administrator also serves as the Magistrate.

B. Economic and social conditions

51. The economy of Tristan da Cunha is based on traditional subsistence farming and fishing. Rock lobster is sustainably fished and exported to Australia, the European Union, Japan and the United States of America. The decision by the European Union in August 2014 to allow access to its market to lobsters from Tristan da Cunha was a major milestone.

52. Since 2007, Tristan da Cunha has enjoyed improved telecommunications. The Foreign and Commonwealth Office funds the line rental charge for the service. Telephone services are reliable and available to all households. Further improvements to the island's telecommunications were made in 2011 and 2012. Internet access is now available to the community through an Internet cafe and a Wi-Fi system.

53. In 2009, the Island Council set out broad strategies to secure the island's financial future. According to the United Kingdom, even with such reforms, the island would very soon become insolvent unless further drastic measures were taken. In 2011, a thorough review of budgets was undertaken and strict rules on procurement and expenditure were introduced. The island forecast a surplus of revenue over expenditure in 2011, 2012, 2013 and 2014. According to the administering Power, external financial assistance with infrastructure projects

continues to be needed. In 2014, the Department for International Development approved a project to construct and equip a new hospital.

54. The Department for International Development funds the position of resident doctors. In order to build capacity on the island, it also funds the positions of a clinical nurse, a new Finance Officer, a new Commercial Officer, the Education Adviser and the Director of Public Works. The Department also sponsors annual dental and biennial optometrist visits as well as visits with other medical specialists, as and when required. It has been a number of years since Tristanians had access to off-island training, but, since 2012, the Department has also funded training both on and off the island (the latter in the Isle of Man and South Africa). This training has been provided across the Tristan Administration covering the following areas: fisheries, tourism, post office services, public works, communications and information technology.

55. Pupils leave school at the age of 16 and tend to work in the Government or the fishing sector. They have no opportunity to proceed to higher education unless they leave the Territory. The current staff members are, by their own admission, poorly trained. There are now two trainee teachers in the pipeline. In September 2009, an Education Adviser sponsored by the Department for International Development began a two year posting on the island, during which he delivered training to local teachers. Since that time, two further Education Advisers have been appointed and it is hoped that a new primary school teacher will be recruited in 2015.

C. Environment

56. Tristan da Cunha is successfully implementing a number of conservation projects, with help from its partners, including the Royal Society for the Protection of Birds. The projects run by Overseas Territory Environmental Programme include efforts to remove invasive species from uninhabited islands in the Tristan da Cunha group and studies on the feasibility of eradicating rodents. Tristan da Cunha also has a biodiversity action plan to help it to meet its commitments under the Convention on Biological Diversity. This was updated in 2012 to cover a five-year period, until 2017.

57. According to the fifth national report of the United Kingdom to the Conference of the Parties to the Convention on Biological Diversity (see para. 38 above), the islands of the Tristan da Cunha archipelago are of high significance in terms of global biodiversity. The main threats to biodiversity that have been identified include: invasive species; overfishing and illegal fishing; the isolated location of the islands; and their finite resources. Since the local economy depends largely on income from a lobster fishery, any negative impact on this fishery would have important consequences on the islanders.

VII. Relations with international organizations and partners

58. As a Non-Self-Governing Territory of the United Kingdom, Saint Helena, Ascension and Tristan da Cunha are associated with, but not part of, the European Union. The Territory is a member of the South Atlantic Territories Cooperation Forum.

59. Since January 2014, the Territory has been a partner of the European Union under Council decision 2013/755/EU of 25 November 2013 on the association of overseas countries and territories with the European Union, which was approved in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the European Union in the wider world.

VIII. Future status of the Territory

A. Position of the territorial Government

60. Information on political and constitutional developments regarding the status of Saint Helena is reflected in section I above.

B. Position of the administering Power

61. On 10 October 2014, at the 5th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the sixty-ninth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was modern and based on partnership, shared values and the right of the people of each territory to determine whether to remain British. Should the people of a territory choose to remain British, the United Kingdom would maintain and deepen its special relationship with them.

62. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had been working closely with the territories to develop that partnership further. His Government had a fundamental responsibility to ensure the security and good governance of its overseas territories. The United Kingdom had strengthened the annual meeting with territory leaders into a Joint Ministerial Council and had given it a clear mandate to lead work to review and implement the strategy and the commitments set out in the white paper.

63. At the third meeting of the Overseas Territories Joint Ministerial Council, held in London on 2 and 3 December 2014, the United Kingdom and overseas territory leaders agreed upon a communiqué that included the following passage setting out the joint position of the United Kingdom and the overseas territories on self-determination:

> The peoples of all the Territories have the right of self-determination. For those Territories with permanent populations who wish it, the United Kingdom will continue to support requests for the removal of the Territory from the United Nations list of Non-Self-Governing Territories. Territory Governments are politically accountable to their legislatures for the exercise of devolved areas of policy. We will continue to work together to develop governmental and democratic institutions so that Territories have the greatest self-government possible, compatible with the United Kingdom's obligations in respect of its sovereign responsibilities.

IX. Action taken by the General Assembly

64. On 5 December 2014, the General Assembly adopted resolutions 69/105 A and B without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2014 (A/69/23) and the subsequent recommendation by the Fourth Committee. Section IX of resolution 69/105 B concerns Saint Helena. In that section, the General Assembly:

(a) Stressed the importance of the 2009 Constitution of the Territory and the further development of democratic and good governance;

(b) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(c) Requested the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socioeconomic development challenges of the Territory.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Western Sahara

Working paper prepared by the Secretariat

I. Report and good offices of the Secretary-General

1. Pursuant to General Assembly resolution 68/91, the Secretary-General submitted to the Assembly at its sixty-ninth session a report on the question of Western Sahara (A/69/344). The report covered the period from 1 July 2013 to 30 June 2014 and contained a review of the activities carried out by the Secretary-General in the exercise of his good offices.

2. Also during the period under review, pursuant to Security Council resolution 2099 (2013) the Secretary-General submitted a report on 10 April 2014 to the Security Council on the situation concerning Western Sahara (S/2014/258).

3. In resolution 2099 (2013), the Security Council called upon all parties to cooperate fully with the operations of the United Nations Mission for the Referendum in Western Sahara (MINURSO), including its free interaction with all interlocutors, and to take the necessary steps to ensure the security of, and unhindered movement of and immediate access for, United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements. The Council called upon the parties to continue to show political will and work in an atmosphere propitious for dialogue and requested the Secretary-General to brief the Council on the implementation of the resolution, challenges to MINURSO operations and steps taken to address them. The Council supported the request of the Secretary-General for six additional United Nations police officers to implement the expanded family visit programme. The Council decided to extend the mandate of MINURSO until 30 April 2014.

4. The report of the Secretary-General to the Security Council (S/2014/258) covered developments since his previous report, dated 8 April 2013 (S/2013/220), and provided information on the situation on the ground, the status and progress of the negotiations, the activities of MINURSO, and humanitarian activities and human rights, and contained his observations and recommendations.

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5. In his report (S/2014/258), the Secretary-General indicated that the situation in Western Sahara had been generally calm and the ceasefire had continued to hold. Moroccan authorities showed an increased openness to receive and engage with delegations visiting the western part of the Territory, although on occasion visitors deemed hostile to Moroccan interests were denied access to or expelled from the Territory. Sporadic demonstrations, aimed at drawing attention to human rights concerns, socioeconomic issues and political demands, including the right to self-determination, took place west of the berm. On 5 May 2013, a protest to express dissatisfaction with Security Council resolution 2099 (2013) was held in Laayoune. Clashes erupted between protesters and Moroccan security forces, causing injuries on both sides to an estimated 150 people and resulting in a number of arrests. In October 2013, the President of the Moroccan Economic, Social and Environmental Council presented King Mohammed VI with the final report of that Council, on a new development model for the so-called "southern provinces", which include Western Sahara but also extend to some areas north of the Territory.

6. In the refugee camps near Tindouf, Algeria, to the extent that MINURSO and the United Nations entities on the ground could observe, people were able to conduct their lives in a peaceful and generally calm atmosphere, although the socioeconomic status quo had begun to be brought into question, including by the authorities of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario). Some degree of dissatisfaction was perceptible among the population in the refugee camps, particularly among the youth. Small-scale demonstrations in the camps were occasionally reported, including by Frente Polisario officials.

7. With regard to the activities of his Personal Envoy, the Secretary-General indicated in his report that a new approach had been taken by the United Nations in an effort to facilitate negotiations between the parties to achieve "a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara" (Security Council resolution 2099 (2013), para. 7). The Personal Envoy engaged in a period of bilateral consultations with the parties and neighbouring States to gauge whether the parties were prepared to be flexible in developing the elements of a compromise solution and how the neighbouring States could be of assistance. The new approach was launched during the visit of the Personal Envoy to the region in March-April 2013. By the end of the reporting period, the Personal Envoy had undertaken two rounds of consultations with the parties and neighbouring States in the framework of the new approach and had begun a series of renewed visits to the capitals of the members of the Group of Friends of Western Sahara to confirm their support. A full account of the activities undertaken by the Personal Envoy can be found in the report of the Secretary-General to the Security Council on the situation of Western Sahara (S/2014/258).

8. With regard to the activities of MINURSO on the ground, the Secretary-General reported that MINURSO relations and communications with the two parties had remained positive and productive throughout the reporting period. The Secretary-General reiterated his previous assessment and recommendation to increase the military component of the Mission by 15 military observers, assessing that MINURSO had reached the point at which operational effectiveness was being compromised by a shortage of military personnel.

9. According to the MINURSO assessment, both parties remained fully committed to and respectful of the ceasefire and their observed violations did not jeopardize it in

the medium term. The Secretary-General reported that the lack of precise ceasefire terms and differing interpretations of the provisions in the ceasefire agreement represented a major challenge to MINURSO monitoring operations. The Special Representative of the Secretary-General had therefore initiated a process of structured consultations with the parties to update military agreement No. 1.

10. The Secretary-General also indicated that in January 2014, for the first time since its inception, MINURSO had witnessed a violation of the status-of-forces agreement when a group of Royal Moroccan Army soldiers gained unauthorized entry to the Mahbas team site, in pursuit of five unarmed civilians attempting to stage a demonstration inside the site. The five Saharan activists were apprehended in the operation by the Moroccan soldiers. The Special Representative protested the violation to the Government of Morocco and received assurances that Morocco remained committed to strict implementation of the status-of-forces agreement, including respect for the inviolability of United Nations premises.

11. On mine action, the Secretary-General informed the Security Council that widespread contamination caused by landmines and explosive remnants of war throughout Western Sahara continued to endanger the lives of the local, nomadic and refugee populations, and of MINURSO military observers and logistical teams. MINURSO, through its Mine Action Coordination Centre, continued to strive to reduce the threat and impact of landmines and explosive remnants of war and to improve cooperation on mine action initiatives with both parties. With the support of MINURSO, Frente Polisario established the Sahrawi Mine Action Coordination Office in September 2013, with the aim of eventually assuming coordination of mine action activities to the east of the berm. MINURSO intends to support this office with technical assistance.

12. On substantive civilian activities, the Secretary-General indicated in his report that his Special Representative had enjoyed regular and positive contact with the parties and their respective coordination offices, maintaining a fruitful dialogue on issues related to the implementation of the Mission mandate. However, the Special Representative was able to meet with civil society representatives and human rights activists in the Territory only in the presence of the Personal Envoy during his visits in Laayoune, Dakhla and Smara. The inability of the Special Representative to have independent contact with civil society meant that the ability of MINURSO to form its own picture of the situation in Western Sahara for the purpose of operational awareness and reporting to the Secretariat and the Security Council remained limited. East of the berm, and with regard to the refugee camps near Tindouf, good working relations with Frente Polisario were maintained through the MINURSO liaison office in Tindouf. Good contacts were established with the newly created non-governmental organization (NGO), the Sahrawi Committee for Human Rights. The issues related to the placement of Moroccan flags around MINURSO premises and the issuances of number plates had been largely resolved through pragmatic solutions agreed upon with the Moroccan authorities.

13. With regard to humanitarian activities and human rights, the Secretary-General informed the Security Council about developments observed during the reporting period related to persons still unaccounted for in the conflict, assistance to and protection of Saharan refugees, confidence-building measures and human rights issues.

14. The Secretary-General indicated in his report that the International Committee of the Red Cross had continued its work with regard to persons still unaccounted for

in relation to the conflict. He also noted developments related to an exhumation of a mass grave near the Mehaires team site, east of the berm.

15. With regard to assistance to and protection of Saharan refugees, the Secretary-General indicated that the Office of the United Nations High Commissioner for Refugees (UNHCR) had continued to provide international protection and, together with its partners, basic life-saving assistance to the refugees in the camps near Tindouf. This included the implementation of multisectoral activities in respect of water, sanitation, health, nutrition, shelter and non-food items. Pending the registration of the refugees in camps near Tindouf, humanitarian assistance provided by UNHCR and the World Food Programme (WFP) continued to be based on a population planning figure of 90,000 vulnerable refugees, with WFP giving an additional 35,000 food rations to people with poor nutritional status in the camps. A more detailed account of the assistance provided can be found in the report of the Secretary-General (A/AC.109/2014/1). The Personal Envoy met with the representatives of the various United Nations entities working in the refugee camps to examine the growing socioeconomic pressures on the refugee population in more detail. All agreed on the need to rethink the humanitarian aid programme in such a way as to encourage a shift away from protracted care and maintenance assistance.

16. With regard to confidence-building measures, the Secretary-General informed the Security Council that in conformity with its mandate and principles, and with the cooperation of the Government of Morocco and Frente Polisario, UNHCR had continued to implement the confidence-building measures programme to facilitate contact and communication between Saharan refugees in the camps near Tindouf and their families in the Territory. Family visits, cultural seminars and the coordination meetings in Geneva between the two parties (Morocco and Frente Polisario) and the two neighbouring countries (Algeria and Mauritania) were the three fundamental components of the updated plan of action of January 2012 for the confidence-building measures programme. MINURSO supported the programme by providing medical staff and police officers to facilitate preparations, served as security escorts and provided joint presence with UNHCR at destinations. In his report, the Secretary-General provided detailed information with regard to a registration exercise on confidence-building measures, undertaken in November 2013; cultural seminars held in the Azores in 2013 (fourth seminar) and 2014 (fifth seminar) linking Saharan refugees in the camps with their communities in the Territory; a fifth coordination meeting, chaired by UNHCR, held in Geneva in June 2013; and an extraordinary meeting held in Geneva in December 2013 to discuss the resumption of the family visit flights.

17. On human rights, the Secretary-General informed the Security Council that the two parties had continued to trade allegations on a wide variety of human rights violations. However, positive developments relating to the protection of human rights also occurred, including the announcement of the establishment and reinforcement of human rights organizations, steps to reform judicial procedures and increased visits by international representatives and observers.

18. The Secretary-General also provided detailed information about visits by the Special Rapporteur on trafficking in persons, especially women and children, to Morocco and to Dakhla (Western Sahara) and visits by the Working Group on Arbitrary Detention to Morocco and Laayoune. The Secretary-General reported on the situation regarding civil and political rights; the work of civil society organizations, including human rights groups active in Western Sahara west of the berm; the

situation regarding freedom of speech, association and assembly; the ongoing case involving the Saharan civilians condemned to long sentences by the Military Tribunal in Rabat on the basis of charges brought after the Gdim Izik events of 2010; and the situation regarding civil and political rights in the refugee camps.

19. The Secretary-General congratulated UNHCR on its efforts and encouraged it to continue with its wider confidence-building measures activities.

20. The Secretary-General urged the international community to provide urgent funding for the confidence-building measures programme and the programme mandate of UNHCR in the refugee camps near Tindouf. He also urged the relevant United Nations entities, the donor community, Frente Polisario and the Algerian authorities to explore programmes to respond to development needs in the camps, especially education and employment for the youth.

21. The Secretary-General noted that, in the light of increased interest in the natural resources of Western Sahara, it was timely to remind all concerned of the need to observe relevant international law.

22. The Secretary-General welcomed the cooperation of Morocco with the special procedures of the Human Rights Council. He noted with satisfaction the steps that Morocco had taken, such as those related to the Moroccan National Human Rights Council and the military tribunals, and looked forward to their full and speedy implementation.

23. The Secretary-General also noted with satisfaction the expressed readiness of Frente Polisario to cooperate with United Nations human rights bodies and that it had established an NGO in the human rights field.

24. The Secretary-General encouraged both parties to continue and further enhance their cooperation with United Nations human rights bodies. He noted that such actions, covering both Western Sahara and the refugee camps, would contribute to creating an environment conducive to the initiatives taken so far, as well as to the negotiating process. Such positive developments should contribute to a more balanced and comprehensive monitoring of human rights. The end goal nevertheless remained the sustained, independent and impartial monitoring of human rights, covering both the Territory and the camps.

25. The Secretary-General believed that the presence of MINURSO remained relevant as: (a) an instrument of stability in the event that the political stalemate continues; (b) a mechanism to support the implementation of successive Security Council resolutions relating to the mandate of MINURSO; and (c) a means to provide independent information on the conditions on the ground to the Security Council, the Secretariat and the international community. He therefore sought the assistance of the Council in reasserting the mandated role of MINURSO, upholding peacekeeping standards and United Nations neutrality and ensuring that the conditions for the successful operation of the Mission were met. He also called on both parties, Morocco and the Frente Polisario, to cooperate fully with MINURSO in achieving those objectives. In that context, and in the light of the continuing efforts of his Personal Envoy, he recommended that the Council extend the mandate of MINURSO, with a modest increase of 15 military observers to the authorized strength, for a further 12 months, until 30 April 2015.

II. Consideration by the Security Council

26. Following its consideration of the report of the Secretary-General (S/2014/258), the Security Council unanimously adopted resolution 2152 (2014) on 29 April 2014, by which it reaffirmed the need for full respect of the military agreements; called upon all parties to cooperate fully with the operations of MINURSO and ensure the security of, and unhindered movement of and immediate access for, the United Nations and associated personnel in carrying out their mandate; called upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations and to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, with a view to achieving a just, lasting and mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations; and noted the role and responsibilities of the parties in that respect. The Council decided to extend the mandate of MINURSO until 30 April 2015.

III. Consideration by the General Assembly

27. During the debate from 7 to 14 October 2014, the Special Political and Decolonization Committee (Fourth Committee) heard statements by 67 petitioners on the question of Western Sahara (see A/C.4/69/SR.3-5). On 7, 10, 13 and 14 October 2014, Member States addressed, among other things, the issue of Western Sahara. Some of them strongly supported the right of the Sahrawi people to self-determination, reaffirmed their support for the relevant General Assembly and Security Council resolutions and the efforts of the Secretary-General and his Personal Envoy for Western Sahara, and stressed the importance of expanding the mandate of MINURSO to include a human rights component. Others believed that the autonomy plan by Morocco offered a realistic and viable option that could provide the best prospect for achieving a mutually acceptable solution to the question (see A/C.4/69/SR.2, 5, 6 and 7).

28. At its 7th meeting, on 14 October 2014, the Committee approved without a vote the draft resolution entitled "Question of Western Sahara" (A/C.4/69/L.4), submitted by the Chair.

29. On 5 December 2014, the General Assembly adopted the draft resolution without a vote, as resolution 69/101. In that resolution, the Assembly, among other things, welcomed the commitment of the parties to continue to show political will and work in an atmosphere propitious for dialogue and the ongoing negotiations between the parties; called upon the parties to cooperate with the International Committee of the Red Cross and to abide by their obligations under international humanitarian law; requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the Assembly at its seventieth session; and invited the Secretary-General to submit to the Assembly at its seventieth session a report on the implementation of the resolution.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Tokelau

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 20 January 2015. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Tokelau is a Non-Self-Governing Territory, as defined under the Charter of the United Nations, administered by New Zealand.

Representative of administering Power: Jean Administrator Jonathan Kings.

Geography: Tokelau comprises three small atolls: Fakaofo, Nukunonu and Atafu. Each atoll comprises strips of land up to 200 m wide and not more than 5 m above sea level. Samoa, located 480 km to the south, is the nearest sizeable neighbour and the principal point of contact for Tokelau with the outside world.

Land area: 12.2 km^2.

Exclusive economic zone: 318,990 km^2.

Population: 1,411 (October 2011 census), as follows: Atafu — 482, Fakaofo — 490, Nukunonu — 397 and Samoa — 42 (Tokelau Public Service employees and their immediate families). Approximately 7,176 Tokelauans live in New Zealand (2013 Census). As New Zealand citizens, Tokelauans may also reside in Australia.

Life expectancy at birth: 69.1 years (female: 70.4 years; male: 67.8 years (2000-2009 estimates)).

Ethnic composition: Tokelauans are Polynesians with linguistic, family and cultural links with Samoa.

Languages: Tokelauan. English and Samoan are also widely used.

Capital: None. Each atoll has its own administrative centre.

Head of territorial Government: Ulu-o-Tokelau. The position rotates among the leader of each atoll on an annual basis.

Main political parties: None.

Elections: Held in January every third year. The last election was held on 23 January 2014; the next one is due to be held in January 2017. Representation in the General Fono currently stands at Atafu (7 delegates), Nukunonu (6) and Fakaofo (7).

Legislature: The unicameral General Fono, a 20-member legislature.

Economy: The principal source of revenue is assistance provided by New Zealand through budgetary support. The other major source of funding is fees from fisheries licences, with other small revenue streams from postage stamps and souvenir coins.

Monetary unit: New Zealand dollar ($NZ).

Gross domestic product per capita: US$ 1,007 (2001-2008 estimates).

Brief history: Originally inhabited by Polynesians from surrounding islands, Tokelau became a British protectorate in 1889, and in 1925, administration was transferred to New Zealand. By the Tokelau Act 1948, sovereignty over Tokelau was transferred to New Zealand.

I. Constitutional and political developments

A. Local self-governance

1. As reported in previous working papers on the question of Tokelau, the current process of constitutional development stems from the 1998 decision of the General Fono (the national representative body of Tokelau) to endorse a comprehensive report entitled "Modern house of Tokelau", which addressed the core issue that faced Tokelau in creating a constitutional framework that suited an atoll- or village-based self-governing community that respected traditional decision-making customs.

2. In accordance with the terms of the 1998 report, General Fono delegates are now elected on the basis of proportional village representation, with delegates elected through universal village suffrage rather than a system of equal village representation with delegates appointed by the respective village councils, as was previously the case. In 2004, further decisions were made on the method of appointment of the Chair of the General Fono and on the role and responsibilities of the six-person Council of Ongoing Government, which is the executive Government when the General Fono is not in session. The Council consists of three Faipule (representative of each village) and three Pulenuku (mayor of each village). The position of Ulu-o-Tokelau, or Head of Government, rotates annually among the three Faipule. In February 2014, the Faipule of Atafu took over as Ulu. In February 2015, the Faipule of Nukunonu is expected to rotate into the position.

3. In its most recent election on 23 January 2014, Tokelau elected its new General Fono (Parliament), which represents the three atolls of Tokelau (Fakaofo, Atafu and Nukunonu). According to the Ulu-o-Tokelau, it was the first time that the election had been based on common national basic criteria in all three villages. Two of the three sitting Faipule and one of the three Pulenuku lost their seats. In all, 9 of the 20 positions in the General Fono went to new candidates. Three of the positions are held by women, who each represent the Fatupaepae (Women's Committee) on each atoll. Overall, the composition of the General Fono is that of a younger, less traditional Tokelau. Saili Peau (Council Representative of Atafu) was elected and currently serves as Minister for Education of Tokelau, the first female Minister to hold that position.

4. Since 2004, the three village councils have taken full responsibility for all village public services. That decision emanated from the Modern House of Tokelau approach, whereby the traditional Council of Elders on each atoll serves as the foundation for any future governance structure. Under that arrangement, the three village councils delegate authority to the General Fono for activities that needed to be handled at the national level (see A/AC.109/2005/3). The New Zealand official with principal responsibility for relations with Tokelau is the Administrator of Tokelau, who is based in Wellington and is appointed by the New Zealand Minister for Foreign Affairs.

5. Jonathan Kings is the current Administrator of Tokelau and works within the Ministry of Foreign Affairs and Trade, in the Special Relations Unit, which is responsible for New Zealand's relationship with Tokelau (and with Niue). The Unit is staffed by officers of the Ministry of Foreign Affairs and Trade. A member of the Tokelau Public Service works in the Office of the Administrator.

B. Referendum process

6. In 2003, the General Fono took a formal decision, with the support of all three village councils, to endorse self-government in free association with New Zealand as the choice to be actively explored with the Government of New Zealand. In August 2005, the General Fono approved a draft constitution, as the basis for the proposed act of self-determination, and the text of a draft treaty of free association between Tokelau and New Zealand. In November 2005, the New Zealand Cabinet gave its formal approval. The so-called referendum package, consisting of the draft treaty and the draft constitution, was to form the basis of the referendum on self-determination. In line with a decision by the General Fono, an overall majority of two thirds of the valid votes cast was required for a change to the status of Tokelau.

7. The first referendum on self-determination was held sequentially in Apia and on the three atolls from 11 to 15 February 2006 (see A/AC.109/2006/20). The outcome of the referendum fell short of the required two-thirds majority, with 60 per cent of valid Tokelauan votes cast in favour of self-government in free association with New Zealand. The United Nations, which formally monitored the referendum, deemed the process credible and reflective of the will of the people of Tokelau. A representative of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, accompanied by a Political Affairs Officer of the Department of Political Affairs of the Secretariat, also observed the referendum process.

8. In August 2006, the General Fono voted to hold a second referendum on Tokelauan self-determination in late 2007. The proposed constitution and the draft treaty, commonly referred to as the self-determination package, were to be the same and the legal threshold for acceptance of the proposal would remain at a two-thirds majority.

9. The second referendum was held from 20 to 24 October 2007. The result, with 64.4 per cent in favour, was again below the two-thirds threshold, thereby leaving the status of the Territory unchanged (see A/AC.109/2007/19). As with the first referendum, the United Nations formally monitored the voting, with representatives of the Special Committee and the Department of Political Affairs present as observers.

10. Following the results of the second referendum, the General Fono requested the Government of New Zealand to keep on the table the entire self-determination package (namely, the draft treaty and draft constitution that had been agreed upon and had served as the foundation for the previous ballots). The Council of Ongoing Government noted that Tokelau could in the future change the two-thirds majority threshold for the referendum, but should put in place measures to ensure that a threshold was supported by a clear majority in each village to guarantee unity. The Council of Ongoing Government also noted Tokelau's strong commitment to self-determination and its wish to have a constitution, albeit one that did not encompass the provisions for free association and self-government.

11. The outcomes of the referendums, neither of which reached the threshold of support set by the General Fono of Tokelau for a change of status, have been acknowledged and accepted by New Zealand. As a follow-up to the 2007 referendum result, the then Prime Minister of New Zealand met with the leaders of Tokelau in February 2008 to discuss the next steps in the New Zealand-Tokelau relationship. It was agreed that a "pause" should be taken in the self-determination

efforts of Tokelau and that, in the meantime, Tokelau would focus on meeting its basic needs. That remains the situation.

II. Economic conditions

A. General economic overview

12. Tokelau faces major constraints on its economic growth, including such natural disadvantages as small size, isolation, wide spread of the atolls, lack of natural resources and natural disasters, such as cyclones. The economic stability of Tokelau has so far been made possible by the high levels of assistance provided by the administering Power. With the continued assistance of New Zealand, the Council of Ongoing Government of Tokelau intends to maintain its focus on improving the delivery of core public services as part of a current joint review process, completing key infrastructure projects, such as on shipping, schools, hospitals, renewable energy and improvements in health and education, and strengthening the Council and the Tokelau Public Service.

13. As part of the new Tokelau fisheries policy aimed at maximizing the economic benefits from the sustainable use of its exclusive economic zone, Tokelau joined the Vessel Day Scheme, a mechanism allowing vessel owners to purchase and trade days fishing at sea in places subject to the Nauru Agreement. The scheme is used to constrain and reduce catches of target tuna species and increase the rate of return from fishing activities through access fees paid by distant water fishing nations. At the request of Tokelau, the Administrator has completed all formalities in order to manage the exclusive economic zone for the foreseeable future, until Tokelau is in a position to assume that responsibility.

14. On 30 November 2014, Tokelau became the first member of the Pacific Islands Forum Fisheries Agency to sign the Tokelau Arrangement for the management of the South Pacific albacore fishery. The Tokelau Arrangement provides a framework for the development of cooperative zone-based management of South Pacific albacore tuna fisheries.

15. Traditional and communal values and practices play a key role in contributing to a state of general well-being and equity in the Territory, as evidenced by the *inati* system and the importance attached to upholding the concept of the family and/or the extended family. The tradition of *inati* requires the deposit at a central location of food and produce, which are then apportioned by the distributors on the basis of "share groups". The principle provides for a secure distribution system that addresses the needs of every member of the community, including the elderly, widows, single parents and children.

B. Assistance to Tokelau by the administering Power

16. In 2011, New Zealand and Tokelau signed a joint commitment for development, which set out joint priorities for the following five years, in line with the National Strategic Plan 2010-2015 of Tokelau. Development assistance since then has focused on good governance, infrastructure development, human development (especially in the areas of health and education) and sustainability.

17. Assistance was provided through budget support and through specific projects. New Zealand budget support for Tokelau for the 2013/14 fiscal year was New Zealand dollar ($NZ) 11.7 million. Key projects included transport (construction of a new passenger cargo ship, the *Matalíki*, and charter of the *PB Matua* in the interim) and ship-to-shore equipment and infrastructure. More information on the assistance provided is set out in paragraph 37 of the present report. Taking into account budget support and specific projects, total funding for 2013/14 was more than $NZ 30 million.

18. The Tokelau International Trust Fund, formally established in November 2004, was designed to provide intergenerational security and an independent source of income to Tokelau in the future. With contributions from Australia, New Zealand, Tokelau and the United Kingdom of Great Britain and Northern Ireland, the level of the Fund now stands at approximately $NZ 79.7 million (estimated as at December 2014).

C. Transport and communications

19. Tokelau has no airstrips, and its main transportation option is provided by regular passenger and cargo services between Apia and Tokelau, primarily on the *PB Matua*, which was chartered by the Administrator of Tokelau in 2012. Additional charters by larger vessels are occasionally funded to meet the transport needs of Tokelau. Recognizing that the quality of the transport service linking its atolls and providing contact with Samoa is vital to Tokelau, the Government of New Zealand is supporting the construction of a new ferry that will carry up to 60 passengers and essential cargo. New Zealand is also assisting in ensuring the safe and efficient transfer of passengers and cargo from ship to shore, including the provision of new barges, safety equipment, training and upgrades to wharf infrastructure.

20. According to the administering Power, the telephone and Internet telecommunications networks of Tokelau perform poorly and are slow and expensive, contributing to its extreme isolation. There is no mobile phone network. The World Bank has recently completed a comprehensive assessment of the telecommunications governance, management and infrastructure in Tokelau and has recommended a programme of work to improve telecommunications. New Zealand is currently considering investment in information and communications technology, which is expected to have wide benefits, including in education, health, governance and economic development. Telecommunications services are provided through the Tokelau Telecommunication Corporation (Teletok). In December 2014, Teletok selected a telecommunications company to deliver satellite broadband connectivity across the territory and surrounding waters.

D. Power supply

21. In 2012, Tokelau became the first area in the world to draw power primarily from solar sources, following the completion of the Tokelau Renewable Energy Project, jointly funded by the Governments of New Zealand and Tokelau. The initiative implemented a solar photovoltaic system of large solar arrays on each of the three atolls.

22. As a Pacific Island highly influenced by climate change, Tokelau considers that its lead role and initiative in renewable energy can serve as examples for the developed world. Tokelau has generated savings in diesel of around $NZ 1 million per year, with the solar photovoltaic system supplying over 90 per cent of the country's electricity.

III. Social conditions

A. General

23. In May 2012, Statistics New Zealand and the Tokelau Statistics Unit released the final outcome of the five-yearly population census held on 18 October 2011. The main findings of the 2011 Tokelau Census of Population and Dwellings were detailed in the 2013 working paper (see A/AC.109/2013/2). Results of the population count undertaken in December 2013 can be found in the previous working paper (see A/AC.109/2014/2).

B. Education

24. Under the Tokelau compulsory education system, primary and secondary education is available to everyone up to the age of 16. There are three schools on Tokelau, one on each atoll. As one of the owners of the University of the South Pacific, Tokelau has access to a distance-learning foundation course run by the university's educational telecommunications system through a University of the South Pacific campus located on Atafu. According to the administering Power, despite support for education over the course of many years, education standards on the atolls remain relatively low, a fact that was confirmed in a February 2014 report of the Education Review Office of New Zealand. That is a key reason why significant numbers of families leave the atolls to seek improved educational opportunities for their children in New Zealand, Samoa and elsewhere.

25. As a result, New Zealand is currently embarking on a major initiative to transform primary and early childhood education in Tokelau. The $NZ 5 million investment, over the course of five years, is expected to strengthen school governance and leadership, support the professional development of teachers and principals and improve learning outcomes for students. In the long term, it is expected that New Zealand will support distance education for Tokelau. Tokelau, with funding from New Zealand, has recently completed the building of new schools on the atolls of Atafu and Fakaofo. A new school for the third atoll of Nukunonu is currently at the design stage. The Government of Tokelau announced in December 2014 that the Centre for Education Development of Massey University of New Zealand had been contracted to work with the Government and villages of Tokelau on improvements to its education services.

C. Health care

26. The provision of adequate health services to the populations of three dispersed atolls remains a major challenge for Tokelau. A new health centre on Nukunonu was

recently completed and is expected to make a strong contribution towards improved health outcomes. A second health centre on Fakaofo is currently at the design stage.

27. The major non-local sources of contributions to health care are the Government of New Zealand, the World Health Organization (WHO), the United Nations Children's Fund, the United Nations Population Fund, the United Nations Development Programme (UNDP) and the Secretariat of the Pacific Community. The priorities of the national health plan, which is directly linked to the Tokelau National Strategic Plan 2010-2015 are: (a) healthy islands and communities; (b) healthy lifestyles; (c) development of health partnerships; (d) development of accessible primary health-care services; (e) successful community participation; and (f) development and improvement of the health-service system.

28. According to data compiled by WHO in 2013, non-communicable disease risk factors, namely, overweight and obesity, are the major health threats, and cerebrovascular and cardiovascular diseases are the leading causes of death. The burden of disease owing to lifestyle-related factors is growing and becoming a significant problem. Obesity is common (74.7 per cent of the population) and is attributed to diet and physical inactivity. There is an observable diet shift away from local foods and towards imported foods. Tobacco and alcohol consumption is relatively high among the adult population and more prominent in males. The estimated smoking prevalence among adults in 2013 was 50 per cent. There are initiatives under way on the atolls to improve education regarding diet and nutrition. However, according to the administering Power, significant changes have yet to result. Continuous training, recruitment and retention of health-care professionals is necessary to address those growing problems and are significant challenges.

29. Tokelau has recently completed a review of the health sector, and the recommendations are currently under consideration by the Governments of New Zealand and Tokelau. In the review, Tokelau noted that the tripartite nature of its present health governance and management structure constrained the effective delivery of health services owing to service fragmentation and low levels of clinical cooperation across the atolls. It recommended a centralization of services, with the provision for health specialists who work nationally through the new health clinic in Nukunonu and under the Department of Health (rather than the village taupulega). It also recommended placing greater emphasis on promoting good health and improving the capacity of the public health sector to manage the threats of non-communicable diseases.

30. Tokelau has zero infant and maternal mortality owing to early referral of mothers for maternity care. Antenatal care coverage and coverage for child immunization is 100 per cent. Screening programmes are in place for early detection and treatment of important health issues such as screening for cervical cancer and breast cancer. The proportion of the population with access to improved sanitation facilities is 93 per cent. Access to improved drinking water sources is available to 97 per cent of the population. Tokelau has benefited from a Pacific Adaptation to Climate Change project for a more reliable and safe water system. The project, supported by UNDP and implemented by the secretariat of the Pacific Regional Environment Programme, aimed at improving access to clean water and installed first flush diverters on drinking water tanks in 99 per cent of households on all three of the atolls. The project also raised awareness in the communities about water and

sanitation issues and renovated or replaced water infrastructure such as pipes, guttering and water tanks.[1]

IV. External relations

31. As set out in paragraphs 9 and 10 of the Joint Statement of the Principles of Partnership between Tokelau and New Zealand, Tokelau as a Non-Self-Governing Territory does not have an international legal personality separate from that of New Zealand that would allow it to enter into formal international legal obligations as a State in its own right. In consultation with Tokelau, New Zealand is responsible for entering into any such obligations on behalf of Tokelau. Tokelau participates in regional and international organizations in its own right, to the extent that such organizations allow.

32. Tokelau is seeking to grow its engagement with regional and international organizations. It is a member of the Secretariat of the Pacific Community, the Pacific Community Coastal Fisheries Programme, the Council of the University of the South Pacific, the South Pacific Regional Environment Programme and the Pacific Islands Forum Fisheries Agency. At the forty-fifth Pacific Islands Forum, held in Koror, Palau, from 29 to 31 July 2014, participants agreed to admit Tokelau as an associate member. Tokelau is an associate member of the Pacific Community Applied Geoscience Commission and of WHO, the United Nations Educational, Scientific and Cultural Organization and the Food and Agriculture Organization of the United Nations. In addition to its relationship with New Zealand, Samoa is an important bilateral contact for Tokelau. Tokelau hosted the Forum Fisheries Committee in May 2014 and the tenth annual Forum Fisheries Ministerial Meeting of the Pacific Islands Forum Fishery Agency on 1 and 2 July 2014.

V. Future status of the Territory

A. Position of the territorial Government

33. Speaking at the 2014 Pacific regional seminar in Fiji, the Ulu-o-Tokelau recalled that after the 2006 and 2007 referendums had failed to attain the votes necessary to achieve self-determination, New Zealand and Tokelau, as constitutional partners, had agreed to defer the question until such time as the people of the Territory were ready. The question of decolonization is linked to issues related to the quality of life, the threat of climate change and sea-level rise, and the sustainability of the small population sizes of the Non-Self-Governing Territories. Tokelau turned to New Zealand first when pursuing its development aspirations and addressing the challenges of isolation, vulnerability and sustainability.

34. Speaking at the June 2014 session of the Special Committee, the Ulu-o-Tokelau said that the elections held earlier in 2014 for the General Fono and the Council of Ongoing Government had, for the first time, been based on basic, common, national criteria in all three villages. A voter education programme, supported by the United Nations Entity for Gender Equality and the Empowerment

[1] A film showcasing the results of the project can be found at www.undp-alm.org/resources/videos/pacc-tokelau-vital-health.

of Women (UN-Women), had been introduced to encourage registration and awareness among women. For the first time, a woman had been elected to the six-member Council of Ongoing Government. The Ulu-o-Tokelau informed the Special Committee that 60 per cent of the targets of the Tokelau National Strategic Plan 2010-2015 had been met, as had 50 per cent of the outcomes under the Joint Commitment for Development between Tokelau and New Zealand 2011-2015. The development efforts of the Territory focused on good governance, human resource capacity, women's empowerment, and environmental sustainability. Tokelau had won the 2014 Renewable Energy Award of the Energy Efficiency and Conservation Authority of New Zealand for switching from diesel generators to solar panels for electricity production. The Tokelau Renewable Energy Project currently supplies 90 per cent of the electricity needs of Tokelau, making it the first area in the world to use solar power almost exclusively. Tokelau had entered into a partnership with UNDP to implement a sustainable support framework for that project.

35. In June 2013, the Ulu-o-Tokelau also informed the Special Committee that the national symbol, constitution, national anthem and national flag had been approved and ratified through efforts led by the people of Tokelau (see A/AC.109/2014/2).

36. The Ulu-o-Tokelau noted that the Territory had agreed with New Zealand to defer the question of another referendum and would continue to focus on meeting basic needs. Whereas Tokelauans were proud of their heritage as citizens of New Zealand, they also made their own distinct voice heard through participation in numerous regional and international organizations. Tokelau continued to be grateful to the Government of New Zealand for its support of initiatives that helped it to maintain its unique heritage. Discussions were under way to draft a post-2015 strategic plan.

B. Position of the administering Power

37. Addressing the Special Committee on 24 June 2014, the Administrator of Tokelau, Jonathan Kings, stated that the relationship between New Zealand and Tokelau continued to be an extremely positive one. The main challenges facing Tokelau were its extreme geographic isolation and its small population size. The Government was committed to ensuring that the population, who were New Zealand citizens, received basic services. One prominent challenge had been shipping. A safe, reliable and efficient transport service for Tokelau had been implemented. A purpose-built ship was being built at a cost of $NZ 12.5 million and would be ready in 2015. The current efforts of the Government of New Zealand have been centred on improving education and health-care delivery, despite the shortage of skills and the difficulties faced with regard to recruitment and retention of health-care professionals. A recent review of the education system had found a need for urgent action, and New Zealand was supporting Tokelau in implementing the recommendations of the review. Tokelau had agreed to increase its budget allocation for schools over time, as reflected in the National Strategic Plan 2010-2015. The Government of New Zealand would provide up to an additional $NZ 1 million per year for five years towards implementing those changes. In the fiscal year 2014/15, fisheries were expected to account for 25 per cent of budgeted revenue. Acting in close cooperation with Tokelau, the Administrator continued to be responsible for managing the exclusive economic zone of the Territory. He also stated that the Government of New Zealand would continue to focus on providing core services for

Tokelau before any further act of self-determination was considered and that he was not aware of any push for a change to the status quo. New Zealand would provide at least $NZ 19,650,000 to Tokelau in the areas of transport, education and budget support in 2014/15, and remained the Territory's largest bilateral donor.

38. Addressing the Fourth Committee on 13 October 2014, the representative of New Zealand referred to the comments made by the Administrator in his June 2014 statement to the Special Committee that the focus remained on providing core services for Tokelau before any further act of self-determination would be considered. There was no push for a change to the status quo. New Zealand continued to be the largest bilateral donor to Tokelau and remained committed to the long-term development of Tokelau.

39. It was further noted that New Zealand had continued to work closely with Tokelau to maximize the revenue generated by Tokelau from its own limited resources. The income to Tokelau from fisheries licensing in its exclusive economic zone continued to improve and was currently the largest single source of self-generated revenue in the Territory. In 2014/15, fisheries revenue was expected to provide 25 per cent of the country's budgeted revenue. New Zealand agreed to the request from Tokelau for assistance in managing its exclusive economic zone fisheries resource. The Administrator of Tokelau continued to exercise that responsibility in conjunction with Tokelau and with the assistance of the Ministry for Primary Industries of New Zealand.

40. The representative of New Zealand noted that Tokelau had taken a leading policy role in Pacific regional fisheries management by assuming chairmanship of the Forum Fisheries Agency and successfully hosting the annual Forum Fisheries Ministerial Meeting in Tokelau in 2014. That was the first time Tokelau had successfully hosted a significant regional ministerial-level event. As Chair, the Ulu-o-Tokelau also represented the Forum Fisheries Agency at the International Conference on Small Island Developing States, held in Apia in September 2014. Tokelau was able to share its experience of the regional management of fisheries and its considerable success in increasing returns from tuna fisheries, in particular.

41. The representative noted that, since the June 2014 statement, there were mutual concerns about the level of services being received by Tokelauans in relation to the significant amount of funding from New Zealand and the expectations of New Zealand as to what its citizens could expect to receive. In the light of those concerns, a dedicated team had been established to initiate a change management process with regard to the public services in Tokelau. Both New Zealand and Tokelau were represented on the team. It was anticipated that the process would result in a five-year plan for improving essential public services and strengthening resilience in Tokelau. The report was scheduled to be submitted for approval to the Governments of New Zealand and Tokelau in early December 2014.

42. The representative noted that New Zealand continued to value its close association with Tokelau and was resolute in supporting such remote communities of New Zealand citizens.

VI. Consideration by the United Nations

A. Consideration of the question of Tokelau by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

43. On 24 June 2014, representatives of Fiji, Papua New Guinea and Sierra Leone made statements. The representative of Papua New Guinea, introducing a draft resolution on the question of Tokelau on behalf of his country and Fiji (A/AC.109/2014/L.15), stated that the text reflected the developments since 2013 by highlighting the free and fair democratic election held on 23 January 2014, the critical importance of climate change mitigation for the sustainable development of Tokelau, the reaffirmation of the 2008 agreement between the Government of New Zealand and Tokelau to defer the self-determination process to an appropriate time, the achievement of 60 per cent of the objectives in the National Strategic Plan 2010-2015 of Tokelau, and the intention of the General Fono to further review it to determine priorities beyond 2015. The representative of Sierra Leone commended the plan's focus on good governance, infrastructure, human development, gender equality and sustainable development. The representative of Fiji expressed support for the decision to defer Tokelau's self-determination process in order to focus on the goals of the plan. An emphasis on economic and social development needed to be part and parcel of the decolonization process.

B. Consideration of the question of Tokelau by the Special Political and Decolonization Committee (Fourth Committee)

44. At its 7th meeting, held on 14 October 2014, the Special Political and Decolonization Committee adopted without a vote draft resolution VI (see A/69/23, chapter XIII) on the question of Tokelau.

C. Action taken by the General Assembly

45. At its 64th plenary meeting, on 5 December 2014, the General Assembly adopted without a vote resolution 69/104 on the question of Tokelau.

46. In that resolution, the General Assembly:

(a) Acknowledged the decision of the General Fono in 2008 that consideration of any future act of self-determination by Tokelau would be deferred and that New Zealand and Tokelau would devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau were enhanced and strengthened, thereby ensuring an enhanced quality of life and opportunities for the people of Tokelau;

(b) Welcomed the progress made towards the devolution of power to the three taupulega (village councils) since 2004 and noted that further discussion was planned on the recommendations of the report on the devolution review, which was compiled in 2012;

(c) Noted that New Zealand and Tokelau remained firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that would meet their current requirements;

(d) Recalled the adoption by Tokelau of its National Strategic Plan 2010-2015 and that the Joint Commitment for Development between Tokelau and New Zealand 2011-2015 prioritized four main development pillars, including good governance, infrastructure development, human resources capacity development and sustainable development;

(e) Acknowledged the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, including the completion of the Tokelau Renewable Energy Project and a new shipping charter service, as well as the support and cooperation of UNDP and WHO;

(f) Commended the achievement by Tokelau in 2013 of 60 per cent of the objectives of its National Strategic Plan, including the completion of the Tokelau Renewable Energy Project with the support of the administering Power and the granting by the New Zealand Energy Efficiency and Conservation Authority in 2014 of the Renewable Energy Award to the Government of Tokelau;

(g) Acknowledged the need of Tokelau for continued support from the international community and its desire to become part of the discussions on the post-2015 development agenda, the impacts of climate change and the protection of the environment and oceans;

(h) Noted the intention of Tokelau to further review its National Strategic Plan in order to determine development and other priorities beyond 2015 and include consideration of the issue of self-determination and how the Territory would address a possible referendum on self-determination in cooperation with the administering Power;

(i) Recalled with satisfaction the establishment and operation of the Tokelau International Trust Fund to support the ongoing needs of Tokelau and called upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to Tokelau in overcoming the problems of smallness, isolation and lack of resources;

(j) Welcomed the cooperative attitude of the other States and territories in the region towards Tokelau and their support for its economic and political aspirations and its increasing participation in regional and international affairs;

(k) Called upon the administering Power and United Nations entities to continue to provide assistance to Tokelau as it further developed;

(l) Welcomed the positive actions taken by the administering Power to transmit to the Secretary-General, under Article 73 *e* of the Charter of the United Nations, information regarding the political, economic and social situation of Tokelau;

(m) Also welcomed the commitment of both New Zealand and Tokelau to continue to work together in the interests of Tokelau and its people;

(n) Requested the Special Committee to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its seventieth session.

47. At the same meeting, the General Assembly also adopted resolution 69/107 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, paragraph 6 of which refers to Tokelau.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Guam

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 14 January 2015. Further details are contained in previous working papers posted on the United Nations website (www.un.org/en/decolonization/workingpapers.shtml).

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The Territory at a glance

Territory: Guam is a Non-Self-Governing Territory administered by the United States of America. As an unincorporated organized territory of the United States, it is administered by the Office of Insular Affairs of the United States Department of the Interior.

Geography: Guam is the southernmost and largest of the Mariana Islands in the Pacific Ocean, situated about 2,200 km south of Tokyo and 6,000 km west-south-west of Hawaii. It consists of a single island comprising two distinct geologic areas of about equal size. The northern part of the island is a high coralline limestone plateau and the southern region is mountainous. Apra Harbor is one of the largest deep-water ports in the Pacific.

Land area: 540 km^2.

Exclusive economic zone: 214,059 km^2.

Population: 159,358 (2010 census).

Life expectancy at birth: 79.4 years (women: 82.1 years, men: 77.0 years (2010 estimate)).

Languages: English and Chamorro.

Ethnic composition (2010 census): 37.3 per cent Chamorro; 26.3 per cent Filipino; 12.0 per cent other Pacific islanders; 7.1 per cent white; 5.9 per cent Asian; 2.0 per cent other ethnic origin; and 9.4 per cent mixed.

Capital: Hagåtña.

Head of the territorial Government: Eddie Baza Calvo (re-elected Governor in November 2014).

Territory's delegate to the United States Congress: Madeleine Z. Bordallo (re-elected in 2014).

Main political parties: Democratic and Republican Parties.

Elections: Most recent: 2014; next: September 2016.

Legislature: Unicameral 15-member legislature. Guam has a locally elected Government, which comprises separate executive, legislative and judicial branches.

Gross domestic product per capita: $25,852 (2005 chained dollars, 2013 estimate).

Economy: Principal sources of revenue: tourism and the United States military presence.

Unemployment: 7.4 per cent (March 2014).

Monetary unit: United States dollar.

Brief history: The island was inhabited by the indigenous Chamorro people of Malayo-Polynesian descent when missionaries from Spain arrived in Guam in the late seventeenth century. The Chamorro now constitute just over one third of the population and play an active role in the political and social life of the island.

I. Constitutional, legal and political issues

1. Guam was administered by the Department of the Navy of the United States of America until 1950, when the United States Congress enacted the Organic Act of Guam, which established institutions of local government and made Guam an unincorporated territory of the United States with limited self-governing authority. Since then, the Territory has been administered by the Department of the Interior. Guam is an unincorporated territory, since not all provisions of the Constitution of the United States apply to the island. As such, Guam is a possession but not part of the United States.

2. The Constitution of the United States does not permit Guam to appoint electors of the President and Vice-President of the United States. The people of Guam elect a governor, who serves for a four-year term. No person who has been elected Governor for two full successive terms shall again be eligible to hold that office until one full term has elapsed. The Governor is responsible for the general supervision and control of the executive branch and submits an annual report to the United States Secretary of the Interior for transmission to Congress. The Governor may issue executive orders and regulations, recommend bills to the legislature, make his or her views known to that body and veto legislation. Following the elections held in November 2014, Eddie Baza Calvo (Republican) was re-elected as Governor.

3. Fifteen senators who serve two-year terms in the unicameral legislature are also elected. The legislature may override the Governor's veto. Under the Organic Act of Guam, the United States Congress reserves the authority to annul any law enacted by the Guam legislature. In the legislative elections held in November 2014, the Democrats won nine seats and the Republicans six seats.

4. Since 1972, Guam has had one delegate to the United States House of Representatives. The delegate, who serves a two-year term, may vote in committee and, since January 2007, on floor amendments, but not on the final approval of bills. In the elections held in November 2014, Madeleine Z. Bordallo, a Democrat, was re-elected for her seventh term as delegate to the United States Congress. She serves on two committees in the House of Representatives (armed services and natural resources).

5. The judicial system in Guam comprises local and federal components. The local judicial system consists of a superior court and a supreme court, which are led by judges appointed by the Governor and confirmed by the legislature. Local judges are subject to confirmation by voters every six years. In 2004, the judiciary of Guam was established as an independent branch of government. The law confirmed the appellate jurisdiction and administrative authority of the Supreme Court of Guam over all inferior courts in the Territory, thereby effectively establishing a unified local judiciary.

6. At the federal level, a district court judge, appointed by the President of the United States, is the head of the District Court of Guam. In 1998, Congress adopted an amendment to the Organic Act of Guam, allowing the Guam legislature to elect its own Attorney General for a four-year term. The Attorney General is the chief legal officer of the Government of Guam and is empowered with prosecutorial authority.

7. Periodically, there have been moves to change the island's political status, as detailed in previous working papers. In 1997, Guam Public Law 23-147 established the Commission on Decolonization for the Implementation and Exercise of

Chamorro Self-Determination in order to address an important but controversial issue involving the Chamorro population. The Commission, in concert with a process of registration of eligible voters organized by the Guam Election Commission, was to oversee the conduct of a vote with regard to the status preferences of the Chamorro people (independence, integration or free association), in accordance with international standards.

8. In 2000, the Guam legislature provided the Guam Election Commission with the power to set the date of the decolonization plebiscite, in which it was expected that the Territory's indigenous people would be asked to choose between statehood, independence and free association with the United States. The plebiscite would have been non-binding but would at the same time have set the course for any future discussions of political status with the administering Power. The vote, scheduled to be conducted on 2 November 2004, was postponed because eligible voters had not been identified and registered. In October 2010, the President of the United States, Barack Obama, signed bill H.R. 3940 into law. The law clarifies the authority and obligation of the Secretary of the Interior to provide federal funding for political status education in Guam. It should help the people of Guam to become aware of their constitutionally viable political options. Eligible voters are those who can trace their roots back to those residents living on the island at the time of the passage of the Organic Act in 1950 who were made citizens by federal law. Universal suffrage with regard to elections applies to United States citizens who are 18 years of age or over and legally resident in Guam. All persons born in Guam and subject to the jurisdiction of the United States are citizens of the United States. The Guam Election Commission announced that there were 49,699 registered voters as at September 2014 and 7,192 registered native inhabitants as at August 2014. In 2011, Mr. Calvo convened the Commission on Decolonization for the first time in about a decade.

9. During the Pacific regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism, held in Nadi, Fiji, from 21 to 23 May 2014, the representative of the Government of Guam said that the Territory's political relationship with its administering Power must be modernized and discussed the public education efforts of the Commission on Decolonization, including new funding prospects that would enable the Commission to launch such activities as websites, television programmes and conferences. He made a number of recommendations to accelerate the decolonization agenda.

II. Military and related issues

10. As previously reported, the United States decided in 2009 that United States Marine Corps capabilities in the Pacific region would be realigned, by 2014, through the transfer of United States military personnel from Okinawa, Japan, to Guam. The plan, which called for 9,000 marines and their family members to be relocated, was, however, modified on 26 April 2012, when it was specified in a joint United States-Japan statement that 5,000 marines would move to Guam when appropriate facilities were available to receive them. The move would cost $8.6 billion, with Japan contributing $3.1 billion (see A/AC.109/2014/14).

11. On 5 January 2012, the President of the United States released a new strategic guidance document that directed rebalancing towards a strengthened presence in the Asia-Pacific region. In March 2012, the United States Department of Defense tasked

the Center for Strategic and International Studies with conducting an independent assessment of the United States posture in the Pacific. On 24 July 2012, the Secretary of Defense submitted to Congress the Center's assessment, together with his disagreement with the Center's suggestion that the Department could consider moving fewer than some 5,000 marines to Guam, given that moving fewer than that number would undermine the United States plan to establish multiple, fully capable marine air-ground task forces throughout the Asia-Pacific region.

12. In December 2013, the United States Government Accountability Office published a report entitled "Further analysis needed to identify Guam's public infrastructure requirements and costs for the Department of Defense's realignment plan". In the conference report accompanying the National Defense Authorization Act for Fiscal Year 2013, the Office was mandated to evaluate what public infrastructure projects were needed in Guam to support the Department's plans. The report contained a description of the public infrastructure of Guam and the types of assistance generally provided by the Department and other sources of funding for projects in Guam, an assessment of the efforts made by the Department to revalidate projects in Guam under the revised realignment plan and an estimate of the cost of public water and wastewater infrastructure improvements in Guam to support the Department's budget requests. The Office found that the reliability, capacity and age of much of the public infrastructure — especially the island's utilities — indicated that additional upgrades were needed to meet current and future demands relating to the realignment. In its report, the Office noted that, notwithstanding the reduction in the number of marines and their dependants relocating to Guam, the Department had not revalidated the public infrastructure requirements based on the revised realignment plan or differentiated between the requirements needed to address long-standing conditions and those relating to the realignment. The revalidation is not expected to be completed until 2015. In addition, the estimate of $1.3 billion for improvements to the water and wastewater systems that the Department had used to support budget requests for fiscal years 2013 and 2014 was found to be unreliable. The recommendations of the Office included that the Department take action to revalidate public infrastructure needs in Guam based on the size of the revised realignment and to ensure that best practices were used to develop future cost estimates.

13. On 31 January 2014, the Office of the Inspector General of the United States Department of Defense published the annual report of the Interagency Coordination Group of Inspectors General for Guam Realignment. It provided an update on the progress and efforts made regarding the realignment of forces, covering the period from January to 30 September 2013.

III. Land issues

14. The question of land use and ownership encompasses two major issues: the return of unused or underutilized land held by the United States Department of Defense and the return of that land to the original Chamorro landowners. In view of the envisaged military build-up, the Department has been interested in acquiring at least an additional 2,200 acres of non-federal land. Of the 147,000 acres of land available on Guam, the Department currently possesses 40,000 acres, or 27.21 per cent of the island's land mass. Private landowners in the Territory have the right to

refuse to sell any of their land for military purposes. With regard to public land, such requests would need the approval of the Guam legislature.

15. In March 2011, the Government of Guam signed the Programmatic Agreement to preserve cultural and historical properties on the island during the build-up in preparation for the transfer of marines, their dependants and support staff as early as 2016.

IV. Budget

16. The budget comprises revenues received by the Government of Guam and federal grants, with the latter generally allocated, on an ad hoc basis, to particular sectors through the Department of the Interior. The territorial Government's operating revenues fall under four classifications: General Fund, Special Funds, Federal Grant-in-Aid and Semi-Autonomous and Autonomous Agencies Operating Funds. According to federal law, all island residents, including military personnel, must pay income taxes to the Guam General Fund and not to the federal Government. The Governor has the power to veto a budget bill; however, the legislature can either override the Governor's veto by a special majority or reconsider the bill.

17. In September 2014, the Governor signed into law the budget for the fiscal year ending on 30 September 2015. Projected gross revenues for the General Fund were $778.7 million, an amount that was approximately $55.8 million greater than the General Fund revenues identified in the appropriations act for fiscal year 2014 of $702.4 million. The total General Fund revenue amount that was available for appropriations was $646.2 million. Overall Special Funds revenues were projected at $174.47 million and the federal match was projected at $43.3 million.

V. Economy

A. General

18. The economy of Guam continues to be based on two main pillars: tourism and the military. The Territory has been endeavouring to create an environment conducive to the development of other industries, such as financial services, telecommunications and transportation. Manufactured products include textiles and garments, cement and plastics. Re-exports constitute a high proportion of the Territory's exports, which include petroleum products, iron and steel scrap, automobiles and tobacco and cigars. The main trading partners of the Territory include the United States, Japan, Germany and China.

19. In November 2014, the United States Bureau of Economic Analysis released estimates of the gross domestic product (GDP) of Guam for 2013, together with GDP and compensation estimates by industry for 2012. The estimates indicate that real GDP increased by 0.6 per cent in 2013. The growth in the economy reflected an increase of 34.3 per cent in private fixed investment that was partly offset by a decrease, the first since 2009, of 4.6 per cent in exports of services.

B. Tourism

20. According to the executive budget for fiscal year 2015, the total number of visitor arrivals in Guam in 2013 was 1,337,665, an increase of 5.3 per cent over the figure for 2012. The Guam Visitors Bureau had projected increases of 3.8 per cent and 2.6 per cent for fiscal years 2013 and 2014, respectively. While the number of visitors from Japan has not been projected to increase any further in fiscal year 2014, the projected growth from all other major markets, including the Republic of Korea, the Philippines, China and the Russian Federation, may contribute to meeting the projection.

C. Transport and communications

21. The Territory's road network is just less than 1,000 miles long. Of this, 420 miles are classified as "non-public". Of the 550 miles of public roads, there are some 144 miles of primary and some secondary roads. To maintain the territorial highway system, the Government receives funding from the United States Department of Transportation and the Federal Highway Administration.

22. The Port Authority of Guam, which is a public corporation and an autonomous agency of the territorial Government, administers the commercial port facilities at Apra Harbor, which is the entry point for 95 per cent of all goods entering Guam and serves as a trans-shipment centre for Micronesia. In its 2013 report (see para. 12 above), the Government Accountability Office noted that, according to the Port Authority and Department of Defense officials, the Port of Guam was outdated, in need of repair and required expansion in order to support the realignment.

23. The 2030 Guam Transportation Plan, approved by the Guam legislature, became an official component of the island's Comprehensive Development Plan. The Plan, which is a long-term strategy designed to improve the Territory's transportation system, incorporates improvements to roadways and mass transportation, while accommodating pedestrians and bicycles. It also addresses other issues, such as the proposed military build-up.

24. In 2012, the Department of Public Works of the Government of Guam developed the Guam Transportation Improvement Plan for fiscal years 2012 to 2015. It provides a list of near-term projects addressing safety issues, pavement and bridge conditions and traffic operations in consultation with the Federal Highway Administration and input from the public.

D. Water system, sanitation and utilities

25. According to the 2013 report of the Government Accountability Office (see para. 12 above), the water and wastewater treatment systems of Guam have a number of deficiencies as a result of natural disasters, poor maintenance and vandalism. Although the Guam Waterworks Authority has invested more than $158 million in improvements to its water and wastewater systems over the past 10 years, it continues to operate under an order issued by the District Court of Guam requiring various treatment and infrastructure improvements because of issues relating to compliance with the Safe Drinking Water Act and the Clean Water Act. The potable water system of Guam is currently non-compliant with the Safe Drinking Water Act. According to

the Inspector General of the Department of Defense, the wastewater plants in Guam do not meet primary treatment standards and lack sufficient capacity owing to the poor condition of existing assets. The Government Accountability Office noted in its report that, in terms of supporting the current military presence in Guam, the Authority provided wastewater services to the Andersen Air Force Base (including Northwest Field), the Naval Computer and Telecommunications Station Guam and the South Finegayan navy housing area. According to representatives of the legislature of Guam and the Chair of the Consolidated Commission on Utilities, however, the Authority is operating near capacity and is unable to meet any surge in demand relating to the realignment without significant infrastructure improvements.

26. The Government Accountability Office also reported that the Guam Power Authority provided all the electricity on the island for both the public and the Department of Defense. The Department is the Authority's largest customer, accounting for 22 per cent of revenue in 2012. The electric power system of Guam has experienced reliability problems that have resulted in power outages and is dependent on ageing generators approaching the end of their life expectancy. This situation recalled a report of the Inspector General of the Department of the Interior in 2012, in which it was stated that Guam was susceptible to power blackouts and noted that about a quarter of the generation units of the Authority had been installed before 1976. The conclusion was reached that, should the Authority have to replace its entire ageing infrastructure at once, it would require a large financial investment.

E. Agriculture and fisheries

27. The farming and fishing sectors are relatively well developed. The main types of produce are vegetables, citrus and tropical fruits, coconuts and sugar cane. The various divisions of the Department of Agriculture deal with animal and plant industry, agricultural development, forestry and soil resources and aquatic and wildlife resources.

28. At a meeting in Hawaii in 2009, the Western Pacific Regional Fishery Management Council recommended that the United States Department of Defense and the National Marine Fisheries Service should investigate and address the issue of the impact of the continuing military build-up on local fishing communities and that a mitigation and compensation plan be developed to assist those affected, including in Guam. No follow-up action has been reported to date.

VI. Social conditions

A. Labour

29. According to the Guam Bureau of Labor Statistics, the unemployment rate in Guam in March 2014 was 7.4 per cent, a decrease of 5.9 percentage points from March 2013. In March 2014, the total number of unemployed was 5,350, which shows a decrease of 590 from December 2013.

B. Education

30. Guam has an extensive public and private education system. The public education system includes the University of Guam and Guam Community College. The Guam Department of Education is responsible for nearly 30,000 students in 41 schools. Approximately 25 private schools, including 2 business colleges, 5 high schools and a number of elementary schools, are mostly affiliated with Roman Catholic and Protestant religious denominations. The Territory receives millions of dollars in federal funding each year to support such programmes as special education, summer school, the school lunch programme and the after-school Department of Education Extended Day programme.

C. Health care

31. The Guam Memorial Hospital Authority is the only civilian in-patient medical facility that serves the public sector. The Authority has a capacity of 172 acute-care beds and 30 long-term care beds. The United States Naval Hospital (see para. 33) primarily serves the military sector. There are three community/public health centres, one located in the north, one in the south and one in central Guam. Guam has some 271 doctors and 92 medical clinics. In the general elections held in November 2014, voters approved by 56.48 per cent a proposal to permit the medical use of cannabis. It directed the Department of Public Health and Social Services to regulate the use of marijuana as treatment for medical conditions or diseases specified in the proposal or designated by the Department at a later time. The Department was also directed to develop applicable rules within nine months. The proposal also removed the criminal penalties relating to marijuana when used by qualified patients pursuant to the legislation.

32. The Government Accountability Office, in its 2013 report (see para. 12 above), noted that the health system of Guam was undersized. Officials from the Guam Memorial Hospital Authority participating in the supplemental environmental impact statement acknowledged that, using national hospital standards, Guam needed some 500 acute-care beds to fully meet the island's needs; the Authority, however, provided only 162 such beds. In addition to those infrastructure challenges, officials identified a number of problems relating to staffing, including difficulty in recruiting and retaining an adequate number of health-care personnel. The United States Department of Health and Human Services has designated Guam as a medically underserved area, which means that it has too few primary care providers, a high rate of infant mortality, a high rate of poverty and/or a large population of older persons. Guam also qualifies as a health professional shortage area, which means that it experiences shortages of primary medical care, dental or mental health providers. Although military personnel and their dependants generally do not use local health facilities, the Government of Guam anticipates that any Department of Defense civilian, any migrant and any construction worker associated with the realignment will be able to use the facilities.

33. According to the World Health Organization Country Cooperation Strategy for Guam 2013-2017, the prevalence of non-communicable diseases in Guam continues to rise. As part of the military build-up, a new military hospital was built to replace the previous facility, which was constructed in 1954. It officially opened on 21 April 2014, providing 42 beds, four operating rooms, two caesarean section rooms and

improved diagnostic and ancillary capabilities, including magnetic resonance imaging and computed tomography scanning suites.

VII. Environment

34. The Guam Environmental Protection Agency comprises five components: the Administrative Services Division, the Environmental Monitoring and Analytical Services Division, the Environmental Planning and Review Division, the Air and Land Programs Division and the Water Programs Division. Guam continues to experience environmental problems relating to the United States occupation during the Second World War and the atomic testing conducted by the administering Power in the Marshall Islands in the 1950s. Additional details can be found in previous working papers. To date, no official reports exist on the continuing high-level radiation spill from the Fukushima Daiichi nuclear power station into the Pacific Ocean.

35. As stated in the report of the Guam Comprehensive Economic Development Strategy, the Guam Environmental Protection Agency implements various programmes that regularly monitor the status of the environment. United States Environmental Protection Agency regulations apply to Guam, but in some cases the Territory's own laws are more stringent than those of the United States. Guam is a relatively small and high-density island; hence its marine environment constitutes a key litmus test with regard to the overall environmental impact of human activity on the land. The quality of the marine waters has generally been found to be excellent across all indicators. Soil erosion, which is associated with construction activity or natural erosion, is another area of special concern in southern Guam, given that sedimentation has resulted in the destruction of coral reefs in areas adjacent to the mouths of rivers.

36. Solid-waste landfills are another area of concern in Guam, given the limited land area. Problems are being magnified as the standard of living changes and increases in population and industrial activity bring more goods and commodities to the island. In its 2013 report (see para. 12 above), the Government Accountability Office noted that the existing landfill on Guam was environmentally compliant, had adequate capacity to meet current solid waste disposal needs and had sufficient expansion capacity to meet future needs relating to the realignment. According to the Government of Guam, however, the new landfill cannot be used for some types of waste, including construction and demolition waste. Consequently, meeting organic and realignment-related solid waste disposal needs will require the Government to continue to develop systems to handle waste that cannot be disposed of in the landfill and construct and open new solid waste disposal areas.

37. Some 33 per cent of the world's cyclones develop in the immediate area around Guam. In addition, according to the Global Assessment of Human-Induced Soil Degradation, the area of degraded soil in the Pacific is extensive. In Guam, major road construction on steep slopes has caused erosion, with the resulting sedimentation killing coral colonies on fringing reefs.

38. Before any marines can relocate to Guam, the Department of Defense must, pursuant to the National Environmental Policy Act of 1969, examine the environmental effects of its proposed actions. Early in December 2012, the Department of the Navy announced that the public scoping assessment for the

supplemental environmental impact statement had ended after a three-month period. The Joint Guam Program Office had held three public scoping meetings on Guam and met more than 240 members of the public, including interest groups, representatives of the Guam legislature, some federal and local agencies and the Office of the Governor of Guam. On 18 April 2014, the Department of the Navy published a draft supplemental environmental impact statement in which it assessed the potential environmental impacts of establishing a cantonment, including family housing, and a live-fire training range complex in support of the relocation of some 5,000 marines and some 1,300 family members to Guam. It presented a description of the affected environment and the 18 resource areas that were thoroughly examined for each alternative. A public comment period was opened until 17 June 2014 and subsequently extended to 2 July. A record of decision, the final step in the supplemental environmental impact statement process, is due to be issued in 2015 and is expected to be reflected in the 2016 working paper.

VIII. Relations with international organizations and partners

39. Guam has been an associate member of the Economic and Social Commission for Asia and the Pacific since 24 July 1981. The Territory is a member of the Pacific Community, the Micronesian Chief Executives Summit, the Pacific Basin Development Council, the Pacific Islands Development Programme, the Pacific Asia Travel Association and the South Pacific Regional Environment Programme. It also participates in the Pacific Islands Applied Geoscience Commission and the Pacific Community Coastal Fisheries Programme. Guam has observer status in the Alliance of Small Island States. In 2011, Guam was granted observer status in the Pacific Islands Forum.

IX. Future status of the Territory

A. Position of the territorial Government

40. Developments regarding discussions on the future status of Guam are considered in section I above.

B. Position of the administering Power

41. In a letter dated 2 November 2006 addressed to the delegate of American Samoa to the United States House of Representatives, the Assistant Secretary of State for Legislative Affairs elaborated on the position of the Government of the United States. He indicated that the status of the insular areas regarding their political relations with the federal Government was an internal United States issue, and not one that came within the purview of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. He also noted that the Special Committee had no authority to alter in any way the relationship between the United States and those territories and no mandate to engage the United States in negotiations on their status. He further noted that, at the same time, in accordance with its obligations under the Charter of the United Nations to provide regularly to

the United Nations statistical and other information of a technical nature relating to the economic, social and educational conditions in the Non-Self-Governing Territories, the federal Government submitted annual updates on United States Territories to the Special Committee as a demonstration of United States cooperation as an administering Power and as a corrective to any errors in information that the Special Committee might have received from other sources.

X. Action taken by the General Assembly

42. On 5 December 2014, the General Assembly adopted without a vote resolutions 69/105 A and B on the basis of the report of the Special Committee transmitted to the Assembly (A/69/23) and its subsequent consideration by the Fourth Committee. Section VI of resolution 69/105 B concerns Guam. In that section, the Assembly:

(a) Welcomed the convening of the Guam Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination and its ongoing work on a self-determination vote, as well as its public education efforts;

(b) Called once again upon the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, encouraged the administering Power and the territorial Government to enter into negotiations on the matter, and stressed the need for continued close monitoring of the overall situation in the Territory;

(c) Requested the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

(d) Also requested the administering Power to assist the Territory by facilitating public outreach efforts, including through the funding of the public education campaign, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested, and welcomed the recent outreach work by the territorial Government;

(e) Further requested the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam.

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Pitcairn

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 29 December 2014. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Pitcairn is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: High Commissioner: Jonathan Sinclair.

Geography: Pitcairn is located midway between Australia and the continent of South America at 25°S and 130°W. It comprises four islands: Pitcairn (the only inhabited island), Henderson, Ducie and Oeno.

Land area: 35.5 km^2 (Pitcairn Island: 4.35 km^2).

Exclusive economic zone: 800,000 km^2.

Population: 37 (2014); this figure does not include the 12 individuals currently abroad.

Life expectancy at birth: Not available.

Languages: The official languages are English and Pitkern, a mixture of eighteenth-century English and Tahitian.

Capital: Adamstown, the only settlement.

Mayor: Shawn Christian (as from 1 January 2014).

Main political parties: None.

Elections: Elections of the Island Council are held every two years (most recent election: November 2013); elections for the Mayor, the head of the Council, are held every three years.

Economy: The economy of Pitcairn is based largely on fishing, horticulture, the sale of handicrafts, beekeeping and honey production. Pitcairn receives budgetary aid from the United Kingdom.

Monetary unit: New Zealand dollar ($NZ).

Brief history: Pitcairn is named after Robert Pitcairn, a British midshipman who sighted it in 1767. The island was uninhabited when castaways from HMS *Bounty* (9 mutineers and 18 Polynesians) arrived there in 1790. Most of the inhabitants of Pitcairn today can trace their ancestry back to those mutineers.

I. Constitutional, legal and political issues

1. A new constitution came into effect in March 2010, replacing the Pitcairn Order 1970 and the Pitcairn Royal Instructions 1970. The Governor is appointed by the British Crown. In practice, the High Commissioner of the United Kingdom of Great Britain and Northern Ireland to New Zealand is appointed concurrently as Governor of Pitcairn, and overall responsibility for the administration of the island is accordingly vested in this function.

2. Under the Constitution, the Governor has legislative authority for Pitcairn and is empowered to formulate laws on any subject after consultation with the Island Council. Laws enacted by the Governor are styled ordinances. Formally, all ordinances are subject to disallowance by the British monarch, on the advice of the Secretary of State. The Government of the United Kingdom retains the power to legislate directly for Pitcairn by an Act of Parliament or an Order in Council.

3. Islanders manage their internal affairs through the Island Council established by the Local Government Ordinance and enshrined in the Constitution. The Ordinance conferred upon the Council the duty, subject to orders and directions by the Governor, to provide for the enforcement of the laws of Pitcairn, and empowered it to make regulations for the good administration of Pitcairn, the maintenance of peace, order and public safety and the social and economic advancement of the islanders. According to the 2012 revised edition of the Ordinance, the Council consists of seven voting members (the Mayor, the Deputy Mayor and five Councillors, all elected) and four non-voting ex officio members (the Governor, the Deputy Governor, the Administrator (a role created in December 2014) and the Commissioner). During elections held in November 2013, Shawn Christian was elected as Mayor.

A. Electoral qualifications

4. In order to vote, persons must be at least 18 years old, intend to remain on Pitcairn indefinitely and have been resident there for a specified period: one year if born on Pitcairn or a spouse of someone otherwise entitled to vote; two years if a de facto partner of a person otherwise entitled to vote; or three years if not born on Pitcairn. Anyone who is eligible to vote may also stand for election to any of the island offices, so long as he or she has not been sentenced to imprisonment for three months or more in the past five years. The Island Secretary prepares the register of voters in September of each year, and elections are held between the first and fifteenth days in November (inclusive).

B. Judicial system and human rights

5. The Island Magistrate is appointed from among the residents of Pitcairn. Other magistrates, legally qualified in a Commonwealth country, are appointed to preside over the Magistrate's Court in matters outside the powers of the Magistrate. The jurisdiction of the Court is limited to offences triable summarily, committal proceedings and certain inquiries, together with civil litigation up to a prescribed level. There is a right of appeal to the Supreme Court of Pitcairn, which is a superior court of record and has jurisdiction in criminal and civil cases outside the

competence of the Magistrate's Court. The Supreme Court is constituted by a judge, the Chief Justice or one of several puisne judges, with or without assessors. Further rights of appeal may be made to the Pitcairn Court of Appeal, comprising three judges, and to the Judicial Committee of the Privy Council.

6. The Supreme Court has original jurisdiction over breaches of the civil and political rights contained in the Constitution. It has power to make such declarations and orders as it considers appropriate for the purpose of upholding the rights, and may award damages. The Governor, as holder of the highest executive office, and the Chief Justice, as head of the judiciary, are responsible within their respective spheres of authority for overseeing the implementation of human rights on Pitcairn.

7. A child safety review conducted in March 2013, as established in the Pitcairn budget aid project for 2012-2013 of the Department for International Development, highlighted the need for continued safeguarding measures on the island. In addition, 11 islanders graduated from the Child Protection Studies programme, a training course accredited by the New Zealand Qualifications Authority, between 2011 and 2013.

II. Budget

8. According to the United Kingdom, the 2013-2014 expenditure for Pitcairn, supported by the Department for International Development, was some £2.9 million. According to the Department, the budgetary aid covers citizens' reasonable assistance needs, ensuring the maintenance of a range of basic public services (e.g. electricity and telecommunications) and the provision of part-time public sector employment. Budget aid is also used for medical and educational services, as well as a shipping service that provides a necessary lifeline in terms of freight and passenger services. The prospect of self-sufficiency is very low in the case of Pitcairn because of its size and remoteness. The island's budget aid has increased by around 220 per cent over the past six years, owing mainly to the cost of the new shipping service introduced in 2008, the associated costs of the four expatriate professionals (police officer, family and community adviser, teacher and doctor) and exchange rate fluctuations. The major recurrent expenditures include shipping and freight subsidies and the costs of off-island professionals who are employed to ensure continued child safeguarding. The territorial allocation provided for Pitcairn under the tenth European Development Fund, which ran from 2008 to 2013, amounted to €2.4 million. Under the eleventh European Development Fund, which covers the period 2014-2020, Pitcairn has been granted an indicative amount of €2.4 million.

III. Economic and social conditions

9. The principal source of income for the public economy had traditionally been the sale of stamps. Owing largely to a downturn in the stamp market, however, the island now receives budgetary assistance from the Department for International Development. A scaled-down stamp trade continues nonetheless, with six or seven new stamp issues released each year. Pitcairn coins (New Zealand mint) are another collectors' item. Revenue is also generated from landing fees for tourist arrivals.

10. The Territory's income is also supplemented by the sale of Internet domain names. Internet users worldwide can acquire a ".pn" suffix that is permanently awarded to Pitcairn for, according to the territorial Government, a fee of US$ 100 per year or US$ 10 per month. Also available for purchase are the subdomains ".co.pn", ".net.pn" and ".org.pn", which cost US$ 50 per year.

11. Two main challenges to socioeconomic development have been identified by the Department for International Development: the legacy of the child sexual abuse cases and the continuing need to maintain rigorous child protection measures; and the ageing population and the declining share of the population that is economically active. The Department states that only 31 people fall into the economically active category, with only 11 under 50 years of age, of whom only 3 are in the 20-30 age group. Half of the population is aged over 50, 18 of whom are aged over 60. The situation is having an increasingly negative impact on economic production and health-care costs. The natural growth rate of the population is already beyond a sustainable replacement rate. In the period 2001-2012, there were only eight births and fewer than five women of childbearing age. Increased funds will be necessary in the medium term to support the ageing population.

12. The Department for International Development and the Government of Pitcairn have developed a five-year strategic development plan, covering the period 2012-2016, which sets out the views and aspirations of the islanders for the socioeconomic development of Pitcairn. It is based largely on efforts to boost revenue by increasing tourism, small business development and honey production.

13. In line with that plan, the Island Council approved in March 2013 an immigration policy designed to promote immigration and repopulation, bringing people with the necessary skills and commitment to Pitcairn. In the second half of 2013, a survey was launched to ascertain whether members of the diaspora had any interest in returning to the Territory and the factors conditioning a decision.

14. According to the final report of the survey, presented in January 2014 by a consultancy firm, the overall response rate was 28 per cent (33 of 120 households). The following three barriers to potential returns were identified: the legacy of the child sexual abuse cases, acceptance of outsiders and new ideas and accessibility. No significant interest among members of the diaspora in returning to or investing in Pitcairn was identified, with only three respondents signalling an interest in living on Pitcairn permanently.

15. It was found that the child sexual abuse cases had created a clear reluctance on the part of members of the diaspora to publicly identify themselves as being from Pitcairn and sullied the Territory's reputation. The view was that on-island social norms did not conform to acceptable international norms. Reference was made to multigenerational (long-standing) inappropriate social behaviour. The survey also identified negative perceptions around the ability to bring children to the Territory and concerns regarding child protection issues. The need for a community reconciliation process was also identified.

16. It was noted that acceptance of outsiders was a complex matter. There was a strong belief that outsiders were not welcomed and would not be able to integrate. Acceptance of outsiders with regard to being eligible and selected for government employment, or introducing and/or expanding businesses, governance issues and the

need for better structures and qualified people were also flagged as areas of concern.

17. It was also noted that accessibility was repeatedly mentioned as a barrier to immigration, especially in relation to factors such as health (medical evacuations), education and general isolation.

18. The repopulation plan, covering the period 2014-2019, prepared by the Island Council, is aimed at attracting and retaining migrants and, to ensure its success, addressing areas such as housing, education and health. The Council acknowledges therein the issues around acceptance of outsiders in the past and recognizes the paramount importance of encouraging new migrants to Pitcairn to settle or work. The plan is expected to evolve and be updated as the project develops.

19. The private economy of Pitcairn is based on the manufacture and sale of handicrafts, some of which are available directly through the Internet. Bartering, mainly with passing ships, is also an important part of the economy. The island's fertile soil produces a wide variety of fruit and vegetables. Some islanders also provide a homestay service to tourists. Pitcairn has no hotels or motels. The Pitcairn Island Producers' Cooperative, established in 1999, promotes and coordinates the distribution of honey and honey products. According to data from the Commonwealth Secretariat, a range of minerals, including manganese, iron, copper, gold, silver and zinc, have been discovered within the exclusive economic zone of Pitcairn.

20. The uninhabited island of Henderson, designated a World Heritage Site by the United Nations Educational, Scientific and Cultural Organization in 1988, is the largest of the group and the richest in natural resources of the three satellite islands. Islanders visit there occasionally, staying a few days to collect a year's supply of miro wood, which they use to produce carvings, as well as to put down a layer of young miro branches in order to ensure a sustainable crop for years to come. Environmentalists also visit Henderson from time to time, given that it is known for its endemic species of birds and plants in a near-pristine system. Oeno is an important breeding site for seabirds. In 2011, a non-governmental organization led a project to eradicate rats, which were threatening the bird population. Unfortunately, the project, to which the Government of the United Kingdom contributed more than £400,000, was unsuccessful and rats remain on the island. The Government of the United Kingdom and the relevant stakeholders are investigating. A monitoring expedition was conducted from July to September 2013 to assess the situation.

A. Transport

21. Access to Pitcairn is possible only by sea. A shipping service runs from Mangareva in French Polynesia to the island eight times a year, with four freight runs directly from New Zealand. Cruise ships also call during the tourism season, which lasts from December to March. Ships visiting the island remain at anchor some distance from the shoreline and visitors are ferried to the island in longboats. According to information provided by the Government of the United Kingdom, plans are being considered to improve landing facilities, in particular for cruise ship passengers, given that tourism development is important for the future prosperity of Pitcairn. According to the European Union, an alternative landing facility, supported by the European Development Fund, is being constructed.

B. Communications and power supply

22. The communications system installed in 2006 provided the island with telephones in all homes, a stable Internet system and limited television service and videoconferencing facilities. The system was upgraded in 2011. Currently, diesel-driven generators provide 240-volt electric power for 15 hours per day (7 a.m.-10 p.m.).

C. Land tenure

23. A land tenure reform ordinance was enacted at the end of 2006 to ensure that every islander was entitled to an allocation of house, garden, orchard and forestry land. More detailed information on land distribution issues is provided in the 2005 working paper (A/AC.109/2005/10).

D. Employment

24. The population of Pitcairn is self-employed, but salaries are paid to members of the community who participate in local government activities. Under the new governance structure, introduced in April 2009, most of the inhabitants have at least one part-time government job. Public work, recently renamed "civic obligations", required by law of all men and women between 15 and 65 years of age, is partly a relic of the society created by the mutineers and partly a necessity born of the basically tax-free economy. The most essential traditional public duties concern Bounty Bay: the maintenance of public boats and the unloading of supplies. Public works not relating to Bounty Bay are now rarely carried out. There are no banking facilities, but undated personal cheques and traveller's cheques may be cashed at the Government Treasurer's office.

E. Education

25. Education is free and compulsory for all children between 5 and 15 years of age. The only school was completely rebuilt in 2006. Instruction is in English and based on the New Zealand standard curriculum. The Education Officer is a qualified teacher recruited from New Zealand, usually for a one-year term. For practical reasons, post-primary education is conducted at the school by correspondence courses arranged through the Ministry of Education of New Zealand. Overseas secondary education is encouraged through the granting of bursaries, and a number of pupils have received secondary education in New Zealand at the expense of the Government of Pitcairn. Since 2007, citizens from the overseas territories have benefited from the home student fee rate at British universities.

26. Pitcairn has a museum, which was built using funds from a grant from the Government of the United Kingdom. Artefacts on display include stone tools made by Polynesians before the arrival of the mutineers, together with cannonballs, an anchor and a swivel gun from HMS *Bounty*. The Seventh-Day Adventist Church is the only church on the island.

F. Health care

27. A general practitioner is stationed on the island on a one-year contract, assisted by an assistant nurse. The Government of the United Kingdom has also funded a social welfare programme, which includes a family and community adviser. As on other Pacific islands, obesity and diabetes are health problems.

28. In a communiqué dated 5 December 2012, the Joint Ministerial Council, a body that brings together political leaders and representatives of the United Kingdom and its overseas territories, including Pitcairn, expressed agreement on the importance of health security and on achieving compliance with the requirements of the International Health Regulations, an international legal instrument binding on 194 countries, including all States members of the World Health Organization, by June 2014. At the time of writing, it was not known whether that goal had been achieved, in particular with regard to Pitcairn. Furthermore, the participants agreed to identify and make use of all available sources of assistance, in particular from regional and global health organizations, such as the Pan American Health Organization and United Nations agencies, to share best practices on health strategies and processes, with special emphasis on the treatment of non-communicable diseases, and to improve representation of the territories and linkages with global and regional health bodies.

29. According to the World Health Organization Multi-Country Cooperation Strategy for the Pacific 2013-2017, the leading causes of morbidity on Pitcairn include diabetes mellitus, cardiovascular disease, allergies and asthma, and accidents. Pitcairn actively participates in the Pacific Public Health Surveillance Network and closely monitors communicable diseases. Primary health care is available and accessible to all residents. Health care is financed by the Department for International Development. A growing health-related challenge is the extension of periods of drought. The health centre is equipped with a well-stocked dispensary and X-ray technology. The health worker-to-population ratio is 1:52, both for the only doctor and for the only dental technician.

G. Criminal justice

30. According to the United Kingdom, the criminal justice system on Pitcairn is administered through a combination of on-island and off-island processes. Criminal law is contained in local ordinances and regulations, as well as in English law of general application. Charges are laid by a police officer or the public prosecutor. Pitcairn has two police officers: a community police officer appointed from among the island residents and an officer who is recruited from New Zealand, usually for a period of 12 months. The public prosecutor is a lawyer qualified in a Commonwealth country.

31. A public defender is appointed by the Governor to represent defendants in criminal cases, and legal aid is available to any person who has insufficient means to obtain legal representation. A publicly funded community lawyer has also been appointed.

32. More minor criminal matters involving breaches of local ordinances or regulations can be heard before the Island Magistrate. Other summary offences and committal proceedings may be heard before the off-island magistrates in the

Magistrate's Court. Magistrates must sit with assessors, selected randomly from among the island residents, for all criminal cases with penalties of more than $NZ 400, unless the defendant has admitted guilt or there are no eligible assessors. Indictable offences must be heard in the Supreme Court.

33. The Magistrate's Court and the Supreme Court may sit in Pitcairn, New Zealand, the United Kingdom or elsewhere. To allow for the distances and difficulty of travel to and from Pitcairn, a judge may order that a person involved in a proceeding participate by live video link. In making an order, the judge is required to give particular consideration to the impact of this on the defendant's right to a fair trial. Appeals can be made to the Court of Appeal and the Judicial Committee of the Privy Council. Work is currently being carried out to further improve criminal procedure and the accessibility of the law and the courts.

IV. Environment

34. Water quality testing is carried out in all residential and government buildings, and data are recorded. Leaf catchers, first flush diverters and gutter guards have been installed at all residential and government buildings to reduce contaminates. Water flow measurement data are collected from various springs and the secretariat of the Pacific Community is assisting in collating the data and providing technical assistance. A total of 240 water tanks, with a total storage capacity of 1.4 million litres, have been provided, for an overall increase of 268,000 litres. Weather observations are collected on a daily basis, and weather data have been collected since 1945. The secretariat of the Pacific Community provides technical assistance with graphs and averages.

35. According to the Pitcairn strategic development plan, the Island Council, in partnership with the Pew Charitable Trusts and the National Geographic Society, both based in the United States of America, submitted in November 2012 a report to the Government of the United Kingdom that proposed the creation of the world's largest no-take marine reserve, an area that would encompass the entirety of the exclusive economic zone of the Pitcairn Islands, with the exception of a 12-mile radius surrounding Pitcairn that would allow the development of commercial fishing activities.

36. The report, prepared for submission to the Foreign and Commonwealth Office of the United Kingdom and published in May 2013, detailed how the monitoring and enforcement of the exclusive economic zone could effectively be undertaken for a relatively low level of expenditure and outlined the most important steps that could be taken to create a robust enforcement system. The report also reviewed some affordable technologies that could be deployed to support the zone. According to the report, creating a marine reserve and deploying those relatively low-cost options would provide protection for the zone that would be far better than that provided for the vast majority of oceans worldwide. It was stated that those actions would distinguish the United Kingdom as a world leader in the responsible stewardship of the marine environment.

37. In the view of the Pew Charitable Trusts, the purpose of the marine reserve would be to fully protect the special marine environment and to provide a world-class, fully protected marine reserve in order to attract scientific research, non-consumptive tourism and other non-extractive economic uses and favourable

global recognition for Pitcairn. If approved, it would become the world's largest marine reserve, encompassing more than 800,000 km2; all fishing and the extraction of other natural resources would be prohibited, with the exception of local traditional fishing. Any vessels entering or passing through the exclusive economic zone would have to comply with specific provisions. A review of the marine reserve would be undertaken every 10 years.

38. In January 2014, a United Kingdom House of Commons environmental audit committee issued a report entitled "Sustainability in the United Kingdom overseas territories", which identified a number of financial and institutional concerns regarding threats to unique habitats and species and regarding the protection of biodiversity in the overseas territories.

39. In its report, the committee stated that, during its inquiry, the Government of the United Kingdom had expressed general but unspecified aspirations to cherish the environment in the overseas territories, but had been unwilling to acknowledge or address its responsibilities under United Nations treaties. That was found to be disappointing, because the environment in the overseas territories was globally significant and constituted 90 per cent of the biodiversity for which the Government had responsibility. According to the committee, the Government had failed to negotiate the extension of the Convention on Biological Diversity, the flagship United Nations policy on biodiversity protection, to all the overseas territories and had not ensured the accurate monitoring of biodiversity there. The committee said that, in environmental terms, the report on the overseas territories, published in 2012, was considered a missed opportunity.

40. With regard to Pitcairn, the report included the recommendation that the Department for Environment, Food and Rural Affairs and the Foreign and Commonwealth Office respond positively to the islanders' request to establish a fully protected marine protected area in line with Aichi Biodiversity Target 11, to protect 10 per cent of the world's coastal and marine areas by 2020. According to the administering Power, a decision on the marine reserve has yet to be taken and discussions with various stakeholders are continuing.

41. A goat eradication programme was carried out in May 2014, although some goats were left for pets or food.

42. The United Kingdom Overseas Territories Biodiversity Strategy has been devised as a key tool to enable the United Kingdom and overseas territorial Governments to meet the relevant international obligations for the conservation and sustainable use of biodiversity. In April 2014, a report was published about ongoing and planned activities that are supported by the Department for Environment, Food and Rural Affairs, the Foreign and Commonwealth Office and the Department for International Development of the Government of the United Kingdom, as well as its statutory adviser the Joint Nature Conservation Committee, in each of the areas under the Strategy. It was noted that the Government of the United Kingdom had awarded £249,946 through the Darwin Initiative to develop a sustainable marine and fisheries management plan for Pitcairn. The project, led by the University of Dundee, will produce a fully operational fisheries and marine management plan that is ecosystem-based and sustainable, which is crucial to providing a secure future for the community and protecting the unique marine biodiversity of Pitcairn.

V. Relations with international organizations and partners

43. Since January 2014, Pitcairn has been a partner under decision 2013/755/EU of the Council of the European Union of 25 November 2013 on the association of the overseas countries and territories with the Union, approved, inter alia, in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the Union in the wider world.

44. Pitcairn is a member of the Pacific Community, which is the oldest and largest organization in the 10-member Council of Regional Organizations in the Pacific, a consultative process that is headed at the political level by the Pacific Islands Forum secretariat. The secretariat of the Pacific Community provides technical assistance, policy advice, training and research services to 22 Pacific island countries and territories in such areas as health, human development, agriculture, forestry and fisheries. Pitcairn also participates in the Pacific Community Coastal Fisheries Programme.

VI. Future status of the Territory

A. Position of the territorial Government

45. The most recent statement by a representative of the island's Mayor was made during the Pacific regional seminar on advancing the decolonization process in the Pacific region, held in Madang, Papua New Guinea, from 18 to 20 May 2004. The statement is summarized in the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2004 (A/59/23).

B. Position of the administering Power

46. On 10 October 2014, at the 5th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the sixty-ninth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was modern and based on partnership, shared values and the right of the people of each territory to determine whether to remain British. Should the people of a territory choose to remain British, the United Kingdom would maintain and deepen its special relationship with them.

47. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had been working closely with the territories to develop that partnership further. His Government had a fundamental responsibility to ensure the security and good governance of its overseas territories. The United Kingdom had strengthened the annual meeting with territory leaders into a Joint Ministerial Council and had given it a clear mandate to lead work to review and implement the strategy and the commitments set out in the white paper.

48. At the third meeting of the Overseas Territories Joint Ministerial Council, held in London on 2 and 3 December 2014, the United Kingdom and overseas territory leaders agreed upon a communiqué that included the following passage setting out the joint position of the United Kingdom and the overseas territories on self-determination:

> The peoples of all the Territories have the right of self-determination. For those Territories with permanent populations who wish it, the United Kingdom will continue to support requests for the removal of the Territory from the United Nations list of Non-Self-Governing Territories. Territory Governments are politically accountable to their legislatures for the exercise of devolved areas of policy. We will continue to work together to develop governmental and democratic institutions so that Territories have the greatest self-government possible, compatible with the United Kingdom's obligations in respect of its sovereign responsibilities.

VII. Action taken by the General Assembly

49. On 5 December 2014, the General Assembly adopted resolutions 69/105 A and B without a vote, on the basis of the report of the Special Committee for 2014 (A/69/23) and the subsequent recommendation by the Fourth Committee. Section VIII of resolution 69/105 B concerns Pitcairn. In that section, the Assembly:

(a) Welcomed all efforts by the administering Power and the territorial Government that would further devolve operational responsibilities to the Territory, with a view to gradually expanding self-government, including through training of local personnel;

(b) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(c) Also requested the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support socioeconomic and environmental security in Pitcairn, including concerning demographic matters;

(d) Welcomed the work carried out on the preparation of the five-year strategic development plan for the island.

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Bermuda

Working paper prepared by the Secretariat

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Note: The information contained in the present paper has been derived from public sources, including those of the territorial Government and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 29 December 2014. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Bermuda is a Non-Self-Governing Territory, under the Charter of the United Nations, administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor George Fergusson (May 2012).

Geography: Bermuda is located in the western part of the Atlantic Ocean, approximately 917 km east of the North Carolina coast of the United States of America. It consists of 8 major and 130 smaller islands.

Land area: 53.35 km².

Exclusive economic zone: 450,370 km².

Population: 61,777 (2014).

Life expectancy at birth: 81 years (male 77.8 years; female 84.3 years (2014 estimate)).

Ethnic composition: Approximately 54 per cent black, 31 per cent white and 15 per cent mixed and other races (2010).

Language: English.

Capital: Hamilton.

Head of territorial Government: Premier Michael Dunkley.

Main political parties: One Bermuda Alliance; Progressive Labour Party.

Elections: Most recent: 17 December 2012; next: due by December 2017.

Legislature: Bicameral legislature, comprising the Senate of 11 members appointed by the Governor (3 at his/her discretion, 5 on the advice of the Premier, 3 on the advice of the leader of the Opposition) and the 36-member House of Assembly, elected in 36 constituencies for up to a five-year term.

Gross domestic product per capita: $88,750 (2013 estimate).

Economy: Financial services, tourism.

Main trading partners: United States of America, Canada, United Kingdom and States members of the Caribbean Community.

Unemployment rate: 9 per cent (2014 estimate).

Monetary unit: Bermuda dollar, pegged at parity with the United States dollar.

Brief history: Bermuda was discovered in 1505 by the Spanish explorer Juan de Bermudez, and by 1510 was referred to as "La Bermuda". It remained uninhabited until 1609, when British settlers on their way to Virginia were shipwrecked on one of the reefs. In 1612, King James I extended the charter of the Virginia Company to include Bermuda. After the Company's charter was annulled in 1684, government passed to the British Crown.

I. Constitutional, legal and political issues

1. The 1968 Constitution of Bermuda has been amended on five occasions, the most recent revision being in 2003. According to the administering Power, the Constitution gives the Territory almost full internal self-government, leaving the United Kingdom of Great Britain and Northern Ireland with a minimum number of constitutional controls. The Governor (and Commander-in-Chief), appointed by the British Crown, is responsible for defence, external affairs, internal security and the police.

2. The Territory has a parliamentary system of government, comprising a governor, a deputy governor, a cabinet and a bicameral legislature. The Governor appoints as Premier the member of the House of Assembly who appears to be best able to command the confidence of a majority of the 36 members of the House, each of whom represents a parliamentary constituency. The Premier heads a cabinet that may not comprise more than 14 members of the legislature.

3. The law and legal system of Bermuda are based on English common law and principles of equity, English statute law (in force since 1612) and acts of the Bermuda Parliament passed since then. The judiciary is appointed on the advice of the Chief Justice. There are three courts: the Magistrates' Court, the Supreme Court and the Court of Appeal. The British Overseas Territories Act 2002 provides for the conferral of British citizenship on citizens of British overseas territories.

4. Voters in the general elections or referendums must be 18 years of age and Bermudian by birth or status or non-Bermudian electors on the register as at 1 May 1976. The current Premier, Michael Dunkley of One Bermuda Alliance, took office on 20 May 2014, succeeding Craig Cannonier, who stepped down from the position. One Bermuda Alliance holds a two-seat majority in the House of Assembly.

5. In 1995, a referendum was held on the question of independence. Of the 58.8 per cent of eligible voters who participated, a small number by Bermudian standards according to the administering Power, 73.6 per cent voted against independence. The then-opposition party, the Progressive Labour Party, had organized a boycott of the referendum among supporters of independence, arguing that the issue should be resolved by general election.

6. In its 2005 report, the Bermuda Independence Commission noted that the racial question had been an ever-present feature of the social, economic and political landscape of Bermuda throughout its history. Racial divisions in Bermuda have, in significant measure, played out in support for, or opposition to, independence and the method to be used to ascertain the wishes of the population. The Progressive Labour Party, which was the ruling party in 2005, wanted the issue of independence to be settled in the context of an election. The Progressive Labour Party reportedly remains publicly committed to pursuing a policy of disengagement from the United Kingdom. On the other hand, the United Bermuda Party, a forerunner of the One Bermuda Alliance, favoured a referendum. The Commission concluded that it was incumbent upon both political parties to share the merits of each method.

II. Budget

7. The fiscal year of the Territory begins in April. According to the administering Power, the funding priorities for the 2014/15 budget focused on the economy, education, health care and law enforcement. The budget of $1.11 billion and the associated economic stimulus measures were designed to meet the policy objectives in the above-mentioned key areas. Additional budgetary information can be found in the relevant sections below. Government statistics indicate that for the eleventh consecutive year, the revenue of the Territory in the 2013/14 fiscal year had fallen short of its expenditure.

III. Economic conditions

A. General

8. The economy of Bermuda is based primarily on the provision of financial services for international businesses and on tourism. According to the administering Power, the industrial sector is small, although construction can be a significant feature. Agriculture is limited since only approximately 20 per cent of the land is arable.

9. The estimated gross domestic product (GDP) of Bermuda for 2013 was $5.6 billion. Job losses and business closures continued to affect production adversely, leading to the fifth consecutive year of negative real growth. However, based on current GDP figures, there was a marginal increase of 0.7 per cent. A total of 6 of the 15 industrial sectors of the economy experienced increased economic activity, with the strongest impact felt in the hotel and restaurant and international business sectors. Overall, the increase in current GDP translated into an increase in per capita GDP of 0.4 per cent.

10. According to the administering Power, the contraction in GDP over the past few years represents a major challenge for the Government. It therefore developed initiatives to promote economic growth, some of which began to bear fruit at the close of 2013. For example, two initiatives of the main Government policy response to job losses in 2013 were the two-year payroll tax holiday to employers for new Bermudian hires and the abolishment of work permit term limits. In the near future, the Government is expected to introduce casino gaming and make adjustments to the immigration policy and the 60/40 rule (requiring companies to be 60 per cent owned by Bermudians in accordance with the Companies Act 1981) to encourage foreign direct investment, which would strengthen the modest growth that was witnessed in 2013.

B. Financial services

11. According to the administering Power, Bermuda is one of the world's leading international financial and business centres; that sector accounts for around 26 per cent of its GDP. Bermuda is also one of the major jurisdictions worldwide in the fields of large-scale insurance and reinsurance.

12. The Bermuda Monetary Authority is the integrated regulator of the financial service sector and has the power to levy civil fines. The Territory has no central bank. The peg to the United States dollar is managed by commercial banks meeting supply and demand at the one-to-one rate. The banks, rather than the Authority, own the foreign exchange reserves of Bermuda.

13. According to information provided by the administering Power, over the first six months of 2014, 468 new international companies and partnerships were registered in Bermuda, representing an increase of 10.9 per cent compared with the 422 companies registered in the corresponding period for 2013. Bermuda registered 36 new insurance companies during the first six months of 2014, an increase of 5.9 per cent compared with the 34 firms registered in the first half of 2013.

14. According to the administering Power, Bermuda has never been a jurisdiction with bank secrecy laws and has maintained a private beneficial ownership register since the 1940s. The existing register contains the details of the ultimate owners of the private corporate entities operating in Bermuda. It is a central register, held by a public authority, and, as ownership changes over time, it is updated using an active automatic system. The Government currently exchanges the information with the competent authorities of its treaty partners upon request. Under the regulatory legislation, there are provisions for financial institutions regarding controlling shareholders that require the approval of such persons by the Bermuda Monetary Authority.

15. For more than 70 years, Bermuda has required persons wishing to incorporate a company there to provide information on the ultimate beneficial owner. Currently such persons are vetted by the Authority (subject to a 10 per cent controller threshold). Transfers of shares to non-Bermudians are also subject to vetting by the Authority. The Authority retains all of the information on the ultimate beneficial owner, which is provided to the Authority as part of the vetting process. According to the administrating Power, Bermuda has no financial secrecy legislation.

16. According to the administering Power, Bermuda established its first tax information exchange agreement with the United Kingdom in 1986 in order to ensure maximum financial transparency and security. Bermuda has taken a leading position worldwide in terms of transparency and cooperation on international taxation matters, with 41 tax information exchange agreements in place (90 per cent of which are with the Group of 20 countries, 76 per cent with members of the Organization for Economic Cooperation and Development (OECD) and 52 per cent with States members of the European Union). In September 2013, Bermuda joined the Multilateral Convention on Mutual Administrative Assistance in Tax Matters of OECD to facilitate cooperation between jurisdictions in the assessment and collection of taxes, in particular to combat tax avoidance and evasion.

17. The 125-member Global Forum on Transparency and Exchange of Information for Tax Purposes, which focuses on the implementation of the internationally agreed standards of transparency and exchange of information in the tax area, conducted an in-depth peer review of Bermuda's regime. According to the administering Power, as a result of that peer review, Bermuda was rated as "largely compliant".

C. Tourism

18. Government statistics indicate that approximately 580,000 travellers visited Bermuda in 2013, spending a total of $412 million and accounting for 7 per cent of GDP. Approximately 10 per cent of the workforce of the Territory was directly and indirectly employed in tourism, which directly generated almost 3,500 jobs. Some 1,600 people are employed in support-related jobs.

19. The budget allocated to the Ministry of Tourism Development and Transport for 2014/15 was approximately $25.1 million, $23 million of which was granted to the Bermuda Tourism Authority. The hotel and restaurant sector recovered in 2013, recording an increase in value added of 6.1 per cent.

D. Construction

20. In 2013, the construction and quarrying sector declined by 4.4 per cent to $169.5 million. Government estimates, however, put the value of work carried out over the first half of 2014 at $103.7 million, compared with $81.2 million in the corresponding period of 2013, an increase of 27.7 per cent. 66.8 per cent of the work was performed on schools, hospitals and community centres, with two thirds undertaken by the private sector and one third by the public sector. In addition, in the first half of 2014, $25 million worth of work was carried out on hotel development, which was the largest sum spent in the industry in several years, according to the administering Power.

21. According to media reports, in 2014, an agreement for the construction of a new airport terminal was signed, and the construction is expected to commence in 2015 and is projected to take several years to complete.

E. Transport and communications

22. With a network of about 200 km of paved public roads and 400 km of private roads, Bermuda has a high road traffic density, with approximately 78 vehicles per km in 2013. Restrictions on car ownership to one per household, coupled with a policy of allowing no rental cars, have resulted in the development of a well-used group transportation system. Free public transportation for resident students by bus and ferry continues to be available.

23. Regular commercial flights connect Bermuda to a number of destinations in the United States, Canada and the United Kingdom. Bermuda has its own air and ship regulatory agencies, with registries maintained by the Department of Civil Aviation and the Department of Maritime Administration.

24. The Territory has four international telecommunications service providers, three of which have their own transatlantic facilities, supplemented by satellite facilities for special services and emergency communications. As previously reported, a new regulatory authority assumed responsibility for the Territory's telecommunications industry in 2013. That non-governmental agency, funded by the telecommunications industry, is responsible for administering a legislative mandate that includes consumer protection and business development.

IV. Social conditions

A. General

25. In 2014/2015, the Ministry of Community, Culture and Sports was allocated about $86.3 million, 45 per cent of which was to ensure access to financial assistance by individuals with insufficient resources.

26. There are 35 national sports governing bodies in Bermuda, underlining the importance for the Territory of sports at all levels, up to and including regional and international competitions. In July 2014, the Ministry of Community, Culture and Sports released the Bermuda National Sports Policy — Sporting Success: Our Vision and Beyond. The policy document identified increased participation and improved performance as the two key desired outcomes and will be supported by an action plan to achieve priority objectives including a focus on women, seniors and persons with disabilities in sport.

B. Labour

27. According to employment data for 2013, the total number of jobs in Bermuda decreased by 3.3 per cent to 34,277 (from 35,443 in 2012). The Ministry of Home Affairs is responding to the challenges created by strengthening its core programmes that assist the population in finding employment and training the workforce to meet the criteria for the jobs that are available. In 2014, the Ministry brought together the public and private sectors to devise strategies to improve the economy and generate new jobs. Part 1 of the National Training Plan was published in 2014. The National Training Board launched an intensive public awareness campaign, sharing the ideas documented in the plan for careers and job trends for the next two to ten years. Part 2 of the plan is due to be published in 2015 and is expected to address implementation strategies. The focus of the plan covers the five main sectors of the economy of Bermuda: government ministries, corporate bodies and agencies; financial and insurance; sales and services; hotels and hospitality; and development and infrastructure.

28. The Bermuda Job Board, a national employment database operated by the Department of Workforce Development, was implemented in November 2013. The online platform is available to Bermudians who are seeking employment, with the main objective of consolidating and centralizing the jobs available in Bermuda. According to the administering Power, the Job Board is expected to help to connect workers and employers, allow a greater outreach for qualified Bermudians to find employment and ultimately reduce the need for work permit applications.

29. The Law Reform Committee, established by the Minister of Home Affairs and tasked to review, update and improve the legislative framework for labour, met regularly in 2013 and 2014. According to the administering Power, legislation will be drafted during the 2015/16 fiscal year.

30. The new Work Permit Policy is scheduled to come into effect on 1 March 2015. According to the administering Power, the new policy comes under the direct remit of the Department of Immigration and will contain new work permit categories with the aim of encouraging new business start-ups in Bermuda, which is

expected to lead to increased job opportunities for Bermudians, spouses of Bermudians and permanent residents.

C. Education

31. The Ministry of Education was provided with a budget of approximately $146.5 million for 2014/2015 to achieve the objectives of its strategic plan for the Bermuda public school system, which aims to provide education that meets global standards, including those on special education.

32. The literacy rate in the Territory is approximately 98 per cent for males and 99 per cent for females, of Bermudians over 14 years of age. Education is compulsory and free in public schools for all children from 5 to 18 years of age. There are a number of private schools, including six offering early primary education, serving approximately 40 per cent of Bermudian pupils of compulsory school age. Those institutions receive no government funding.

33. The Bermuda College is the main facility in the Territory for tertiary education and is accredited by the New England Association of Schools and Colleges through its Commission on Institutions of Higher Education. According to the administering Power, the college identified 20 institutions with which it has articulation agreements (a process by which one institution matches its courses or requirements to coursework completed at another institution), whereas some of those same institutions have multiple agreements for different programmes. The college also has a list of more than 100 colleges and universities to which local graduates have successfully transferred after leaving the college. Citizens from the British overseas territories benefit from the home student fee rate at British universities. In addition, the European Union provides for access to funds, including for higher education and vocational education.

D. Public health

34. For 2014/15, the Ministry of Health, Seniors and Environment was provided with a budget of $195 million, representing some 17 per cent of total government expenditure. In addition to regulation, the Ministry provides policy direction for the health sector, including an acute care hospital, a psychiatric hospital, the Bermuda Health Council, public health services, the health insurance system and the private health sector. The Territory has a hybrid health financing system consisting of direct public funding, social health insurance and government subsidies.

35. Bermuda has an ageing population and a low fertility rate. Sixteen per cent of the population was expected to be 65 years or older in 2014, compared with 11 per cent in 2004. In 2014, the total fertility rate was 1.59 births per woman, which is below the replacement level of 2.10 births per woman. Life expectancy at birth is 84.3 years for women and 77.8 years for men, in 2014. Life expectancy is reported as being four years less for blacks than for whites.

E. Crime and public safety

36. One of the main responsibilities of the Ministry of Public Safety is strengthening the professional standards of the Bermuda Police Service, the Bermuda Regiment, the Bermuda Fire and Rescue Service, the Department of Corrections and the Department for National Drug Control. The Premier also serves as the Minister of National Security.

37. Efforts by the police to ensure public safety in the Territory include strong enforcement, community engagement and rigorous investigations leading to convictions. According to the administering Power, the second quarter of 2014 had the lowest crime rate in the Territory since 2000, largely owing to robust policing and increased community involvement. Crime continues to decrease and the inter-agency gang task force remains committed to developing programmes that address and prevent antisocial behaviour.

F. Human rights and related issues

38. Major international and European human rights instruments apply in Bermuda. In addition, as previously reported, the Government decided to develop a national gender policy to promote equitable decision-making involving the different needs, constraints and priorities with regard to men and women. For example, the Constitution poses a barrier to extending to Bermuda the Convention on the Elimination of All Forms of Discrimination against Women, in particular with regard to article 15 of the Convention and the issue of discrimination between men and women, since a non-Bermudian husband of a Bermudian woman has fewer rights than a non-Bermudian wife of a Bermudian man. Such discrimination would not be permitted under the Convention.

V. Environment

39. Approximately 98 per cent of the electric power in the Territory is provided by a single private entity, which relies exclusively on fossil fuels to generate electricity. The remaining 2 per cent of electric power is provided by the Tynes Bay waste-to-energy plant, which is owned and operated by the Ministry of Public Works.

40. As previously reported, in January 2014, the Environmental Audit Committee of the House of Commons of the United Kingdom issued a report on sustainability in the United Kingdom overseas territories, in which it identified financial and institutional concerns regarding threats to unique habitats and species and the protection of biodiversity (see A/AC.109/2014/5 for a more detailed account).

41. The United Kingdom Overseas Territories Biodiversity Strategy issued in April 2014 was devised as a key tool to enable the United Kingdom and its overseas territorial Governments to meet the relevant international obligations for the conservation and sustainable use of biodiversity. In May 2014, a report was issued about the ongoing and planned activities that are supported by the Department for Environment, Food and Rural Affairs of the United Kingdom, its Foreign and Commonwealth Office, its Department for International Development and its statutory advisor, the Joint Nature Conservation Committee. The report covered

each of the areas under the Strategy and activities in Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands (Malvinas), Gibraltar, Montserrat, Pitcairn, Saint Helena and the Turks and Caicos Islands.

VI. Military issues

42. Bermuda maintains a defence regiment of some 600 soldiers, namely, the Bermuda Regiment. In addition to part-time members, that figure includes a long-term "nucleus" of about 140 soldiers and 30 full-time soldiers. The adult male population in the Territory is subject to conscription by ballot, involving approximately three years of part-time liability for weekly drills, in addition to a 15-day annual camp. All soldiers are paid for their military service.

43. The Regiment regularly cooperates with foreign Governments and militaries, including those of Canada, Jamaica and the United States, and assists in disaster relief operations in other territories administered by the United Kingdom. Following Hurricanes Fay and Gonzalo in October 2014, which caused widespread property damage and electricity outages in the Territory, the restoration and clean-up efforts of the Regiment were assisted by the crew of the *Argyll* of the Royal Navy of the United Kingdom, which made its way towards Bermuda and remained on standby until after the storm had passed.

44. The administering Power remains committed to eliminating conscription. To that end, the Regiment has undertaken an extensive public relations campaign in an effort to bolster volunteer enlistment. Additionally, legislation to provide the Regiment with a revised legal and disciplinary system in accordance with the European Union standards for a modern military is in the drafting process.

45. According to the administering Power, plans have been announced to expand the role of the Regiment in maritime security. It is anticipated that a full-time Regiment boat troop will be established. The duties of the boat troop will include general safety and policing of both inshore and offshore waters.

VII. Relations with international organizations and partners

46. Bermuda is an associate member of the Economic Commission for Latin America and the Caribbean, the Caribbean Community and the Caribbean Common Market and a member of the Caribbean Financial Action Task Force, which was set up to combat money-laundering. The Financial Intelligence Agency of Bermuda is a member of the Egmont Group of Financial Intelligence Units and the Bermuda Monetary Authority is a member of regional and international financial regulatory bodies, including the International Association of Insurance Supervisors, the International Organization of Securities Commissions and the Group of International Finance Centre Supervisors. Bermuda also plays a key role in the Global Forum on Tax Transparency of the OECD, as a member of the Peer Review Group. Bermuda also participates in the Caribbean Conservation Corporation, the Caribbean-United States Security Cooperation Dialogue, the International Trade Union Confederation, the International Criminal Police Organization (INTERPOL) and the International Olympic Committee.

47. As at January 2014, the Territory decided to join the 2013 decision of the Council of the European Union on the association of the overseas countries and territories with the European Union (2013/755/EU), which came into force in 2014 and was approved, among other things, in an effort to move from a classic development cooperation approach towards a reciprocal partnership that promotes sustainable development and the values and standards of the European Union worldwide.

VIII. Future status of the Territory

A. Position of the territorial Government

48. Information regarding developments on the future status of Bermuda is reflected in section I above.

B. Position of the administering Power

49. On 10 October 2014, at the 5th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the sixty-ninth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one, based on partnership, shared values and the right of the people of each Territory to determine whether to remain British. Should the people of a territory choose to remain British, the United Kingdom would maintain and deepen its special relationship with them.

50. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had been working closely with the territories to develop that partnership further. His Government had a fundamental responsibility to ensure the security and good governance of its overseas territories. The United Kingdom had strengthened the annual meeting with territory leaders into a joint ministerial council and had given it a clear mandate to review and implement the strategy and the commitments set out in the white paper.

51. At the 3rd meeting of the Overseas Territories Joint Ministerial Council, held in London on 2 and 3 December 2014, the United Kingdom and leaders of its overseas territories agreed upon a communiqué that included the following passage that sets out the joint position of the United Kingdom and its overseas territories on self-determination:

> The peoples of all the Territories have the right of self-determination. For those Territories with permanent populations who wish it, the United Kingdom will continue to support requests for the removal of the Territory from the United Nations list of Non-Self-Governing Territories. Territory governments are politically accountable to their legislatures for the exercise of devolved areas of policy. We will continue to work together to develop governmental and democratic institutions so that Territories have the greatest self-government possible, compatible with the United Kingdom's obligations in respect of its sovereign responsibilities.

IX. Action taken by the General Assembly

52. On 5 December 2014, the General Assembly adopted resolutions 69/105 A and B without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/69/23) and the subsequent recommendation by the Fourth Committee. Section III of resolution 69/105 B concerns Bermuda. In that section, the General Assembly:

(a) Stressed the importance of the 2005 report of the Bermuda Independence Commission, which provided a thorough examination of the facts surrounding independence, and continued to regret that the plans for public meetings and the presentation of a green paper to the House of Assembly followed by a white paper outlining the policy proposals for an independent Bermuda had so far not materialized;

(b) Underlined the need to further strengthen good governance, transparency and accountability in government for the benefit of the Territory;

(c) Requested the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(d) Welcomed the active participation of Bermuda in the work of the Economic Commission for Latin America and the Caribbean.